

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083**COMMISSION MEETING**
January 21, 1993 - 10:00 A.M.
Red Lion Hotel
Monterey/Carmel Room
2050 Gateway Place
San Jose, CA 95110
(408) 453-4000**AGENDA**

CALL TO ORDER

FLAG SALUTE

WELCOME TO NEW COMMISSIONERS

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTIONS

HONORING FORMER COMMISSIONERS

- o Edward Maghakian - February 1985 - October 1992
- o Robert Wasserman - October 1983 - October 1992

RECOGNITION OF MEMBERS OF POST'S VIDEO PRODUCERS' COMMITTEE

Members of the POST Video Producers' Committee will be recognized for their work in creating and distributing video training programs to California law enforcement over the past decade.

APPROVAL OF MINUTES

- A. Approval of minutes of the October 15, 1992 regular Commission meeting at the Radisson Hotel in Irvine.

CONSENT CALENDAR**B.1 Receiving Course Certification Report**

Since the October meeting, there have been 29 new certifications, 9 decertifications, and 18 modifications. In approving the Consent Calendar, your Honorable Commission receives the report.

B.2 Receiving Financial Report - Second Quarter FY 1992/93

The second quarter financial report will be provided at the meeting for information purposes. In approving the Consent Calendar, your Honorable Commission receives the report.

B.3 Receiving Information on New Entry of the Tehama County Coroner's Office Into the POST Regular (Reimbursement) Program

The Tehama County Coroner's Office has met the Commission's requirements and has been accepted into the POST Regular (Reimbursement) Program. In approving the Consent Calendar, your Honorable Commission receives the report.

B.4 Receiving Information on New Entry of the Montclair Police Department into the Public Safety Dispatcher Program

In approving the Consent Calendar, your Honorable Commission notes that since the October meeting, the Montclair Police Department has met the requirements and has been accepted into the POST Reimbursable Public Safety Dispatcher Program. This new entrant brings to 316 the number of agencies joining the program since it began July 1, 1989.

B.5 Setting Command College Tuition for Non-Reimbursable Agencies

At the January 1987 meeting, the Commission adopted a Command College tuition for all non-reimbursable agencies. Staff was instructed to annually review the tuition and to report to the Commission each January with the recommended tuition for the coming year. The tuition for classes 18 and 19 was \$3,728 for the two-year program. Costs now require a \$62 increase to \$3,790. Analysis of costs is included in the report under this tab.

In approving the Consent Calendar, your Honorable Commission receives the report and sets the new tuition rate of \$3,790 effective for classes 20 and 21.

B.6 Setting Supervisory Leadership Institute Tuition for Non-Reimbursable Agencies

At the January 1991 meeting, the Commission adopted a Supervisory Leadership Institute tuition for all non-reimbursable agencies. Staff was instructed to annually review the tuition and to report to the Commission each January with the recommended tuition for classes beginning in the coming year. The tuition for classes starting in 1991 was \$1,568 for the eight-month program. Costs allow the rate to remain the same for all classes beginning July 1993 through June 1994. Analysis of costs is included in the report under this tab.

In approving the Consent Calendar, your Honorable Commission receives the report and sets the tuition rate of \$1,568 effective for classes beginning July 1993.

B.7 Approving Resolution Commending Retired Chief Philip A. Goehring

In approving the Consent Calendar, your Honorable Commission adopts a Resolution recognizing 32 years of service of Retired Chief Philip A. Goehring, Chief of Fullerton Police Department, for his dedication to California law enforcement.

PUBLIC HEARING

C. Receiving Testimony on the Proposal to Change Regulations to Allow Reimbursement for Satellite Antennas and IVD Hardware

This public hearing is to consider new and amended regulations that would allow the Commission to establish provisions for POST to reimburse eligible agencies for the acquisition of satellite antennas and interactive videodisc (IVD) delivery systems.

Under the proposed regulations, each agency would be eligible for one of each system authorized for reimbursement. Larger agencies would be conditionally eligible for more than one. Agencies would be required to attest that the system was installed at an agency facility and that the system will be used for POST training of full-time regularly-paid employees. Previously acquired systems which meet POST specifications would also be eligible for reimbursement. Installation and maintenance costs for both systems would be borne by the agency.

During the current fiscal year, POST is experiencing lower training volumes, which may result in sufficient funds for establishing a satellite/IVD capability in departments (while maintaining current reimbursement rates for salary, travel, and per diem). Reimbursement for these technology-based training delivery systems will enable agencies to provide needed training programs in a cost-effective manner statewide.

Item F on this agenda includes a report proposing rates of reimbursement for purchase of satellite receivers and IVD equipment. If the Commission adopts regulations to provide for reimbursement, separate action under Item F will be necessary to set the actual reimbursement rates for the satellite and IVD programs.

Subject to the results of the public hearing, and if the Commission concurs, the recommended action would be a MOTION to adopt Regulations 1020 and 1021 and amend Regulation 1015 as proposed to be effective upon approval by the Office of Administrative Law (OAL).

D. Continuation of Public Hearing on Proposed Regulations
Relating to Review of Video Tapes in POST-Certified Training

The October 15, 1993 public hearing for the proposed regulation requiring review of audio-visual training materials prior to use was continued to January 21, 1993. The Commission directed staff to reevaluate the proposed regulation and make appropriate adjustments based on issues raised at the public hearing in October. As directed, staff modified the proposed regulations with input from the advisory committee for this project. This latest version allows POST-certified presenters more latitude in how reviews will be conducted, yet ensures that competent reviews will occur. The California Academy Director's Association now formally supports the proposed regulation.

If the Commission concurs, the recommended action would be a MOTION to adopt revised regulations as described in the report.

E. Receiving Testimony on the Proposal to Change POST
Regulations to Recognize Degrees and Units Awarded by
Certain Non-Accredited Colleges and Universities Qualifying
Under SB 1126

POST Intermediate and Advanced Certificates are awarded based in part on educational units or degrees. Supervisory, Management, and Executive certificates all require the applicant to have completed 60 college units. POST regulations provide that units and degrees must have been awarded by accredited colleges or universities.

Last year, SB 1126 amended Penal Code Section 13510.1 effective January 1, 1993. This change in law requires POST to recognize courses and degrees provided by non-accredited, but state-approved colleges and universities that offer programs exclusively in criminal justice. This provision has a sunset clause and expires on January 1, 1998.

The law established by this bill is narrowly drawn. August Vollmer University is the only institution known to be affected. The Commission is not required to recognize credits from other non-accredited colleges and universities which do not qualify under the bill.

The proposed regulation amendments will enable the Commission's regulations to conform with the law. Proposed changes are described in the report. *// stop*

If the Commission concurs, the appropriate action would be a MOTION to adopt regulations as proposed.

*Regulation
1001*

*Commission
Procedure F-1*

TRAINING PROGRAM SERVICES

F. Setting Reimbursement Rates for Satellite Antennas and IVD Hardware

The Commission directed that a public hearing be held on January 21, 1993 to adopt and amend proposed regulations to reimburse eligible agencies for the acquisition or up-grade of satellite antenna and interactive computer hardware systems. If the Commission adopts the regulation changes following the public hearing, specific reimbursement rates for the eligible agencies must be established.

The report under this tab outlines information about the various satellite antenna systems and interactive computer hardware systems that are available for acquisition. Agencies are free to purchase from whatever source; however, one vendor has agreed to provide a new C/Ku band steerable antenna system for \$2377 (including antenna, shipping, sales tax, and mounting hardware).

A complete interactive video work station including a 386 PC with Super VGA monitor as well as a laser disc player and necessary plug-in board for the PC has been competitively priced at \$4973.

If the Commission concurs, the recommended action would be a MOTION to establish the reimbursement rates for the acquisition of satellite antenna systems at a rate not to exceed \$2377 per system, and to establish the reimbursement rate for an IVD acquisition at a cost not to exceed \$4973 per system.

G. Recommendation for Authority to Contract with Basic Academies for Satellite Receiving Antennas

The report under this tab proposes that authority be granted the Executive Director to contract individually with 20 community college presenters of the Basic Course for acquisition of satellite antenna systems. Academies certified to law enforcement agencies are not included in the proposal on the assumption that the law enforcement agencies would purchase a receiver under the planned reimbursement program.

The community college presenters of the basic course provide valuable services in support of the Commission's distance learning program, training thousands of personnel. Training at academies would be enhanced if each academy could receive current and planned broadcasts for use in basic and in-service training programs.

If the Commission concurs, the recommended action would be a MOTION to authorize the Executive Director to sign contracts with the 20 community college presenters of the Basic Course in individual amounts not to exceed the reimbursement rates established for law enforcement agencies under the satellite reimbursement program, with aggregate amount not to exceed \$60,000. (ROLL CALL VOTE)

H. Approving Request for Proposal (RFP) on Developing an Interactive Videodisc Training Program on Alcohol and Drug Recognition and Investigation

It is proposed that the Commission authorize the Executive Director to prepare and distribute a Request for Proposal (RFP) to develop an interactive videodisc Alcohol and Other Drugs training program for law enforcement. The proposed program would provide a training course that could be used in the Basic Course and either replace or augment a variety of in-service training courses currently certified statewide.

It is recommended that the Commission approve a maximum cost of \$400,000. Some cost savings can be expected to be achieved by using existing video/film on these topical areas. Final costs could be less than the proposed maximum, depending on vendor bids for the development of the courseware. The courseware remains the property of the Commission. After the program is developed the Commission could consider a marketing program under a separate agreement.

With Commission approval, an RFP will be developed and distributed and recommendations brought back at the April 1993 meeting. Proposals would be evaluated and a recommended contractor identified for Commission consideration at the April 1993 meeting.

If the Commission concurs, the appropriate MOTION would be to authorize the Executive Director to prepare and distribute a RFP for developing an IVD training program on Alcohol and Other Drugs at a cost not to exceed \$400,000 and report back on the recommended contractor by the April 1993 meeting.

I. Approval to Purchase Additional P.C. 832 IVD Courseware - Recommendation for Contract Authority

The Commission developed the P.C. 832 Introduction to Law Enforcement interactive courseware and released it for use by training presenters and academies in 1989. An initial order of 50 sets of the courseware has now been exhausted.

Within the next three months, the Community College Chancellor's office will provide an additional 29 work stations for community college IVD presentations. One set of courseware will be required for each of the work stations. Based on existing requests for courseware it is anticipated that 50 sets of courseware are needed to meet the community college needs, and to have additional courseware available until final decisions on an up-date of the courseware are presented to the Commission in April 1993.

Comsell, Inc. is the sole source for complete sets of this courseware, and are the marketing arm for POST on this courseware outside California. Comsell quoted a price of \$520 per set of courseware. This cost covers all mastering, labor assembly, and shipping charges on the courseware to POST. The costs for 50 sets of courseware is \$26,000. Background information is included in the report under this tab.

If the Commission concurs, appropriate action would be a MOTION to authorize the Executive Director to contract for the purchase of 50 complete sets of courseware at a cost not to exceed \$26,000. (ROLL CALL VOTE)

STANDARDS AND EVALUATION

J. Report on Report Writing Instruction for Basic Academy Cadets and Recommendation for Contract Authority to Develop a Series of Scenario-Based Report Writing and Testing Materials

Staff has completed a Commission-authorized study of the report writing capabilities of basic academy cadets. Key findings were that report writing instruction varies greatly by academy, that large numbers of graduating cadets are lacking in report writing skills, and that performance differences among cadets are related to differences in instruction.

Based on these findings, the study report includes the recommendation that the Commission approve the expenditure of up to \$127,750 for the development of five videotape-based report writing exercises for incorporation into a standardized basic academy report writing curriculum. Of this total, up to \$93,750 would pay for production of the tapes; up to \$25,000 would pay for a three-month POST Fellowship for the assistance of a law enforcement report writing instructor in writing the scripts, overseeing the shooting of the videos, and assisting in the development of the report writing evaluation criteria, and up to \$9,000

would pay for the services of a professional language instructor in developing and presenting training to academy report writing instructors.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into contracts for a total amount not to exceed \$127,750 for development of the proposed standardized basic academy report writing curriculum (including standardized testing), with the understanding that staff will report back to the Commission as to the impact of the program (ROLL CALL VOTE).

K. Report on Updated Medical Screening Manual and Recommendation to Approve its Distribution

The current *POST Medical Screening Manual for California Law Enforcement* was first published in 1977. In early 1991 the Commission approved an interagency agreement with the City of Los Angeles for the assistance of medical personnel in revising the manual. The work has been completed and the revised manual is ready for distribution to agencies in the POST program. (A copy of the final draft of the document is provided under separate cover.)

If the Commission concurs, the appropriate action would be a MOTION to approve distribution of the revised manual.

BASIC TRAINING BUREAU

L. Report and Recommendation to Approve Basic Course Curriculum Modifications - Deletion of Performance Objectives Which are Untestable and Modifying Performance Objectives in the Areas of Juvenile Law, Crimes Against Children and Traffic

Twenty-two performance objectives (POs) in the Basic Course have been identified as POs to which effective POSTRAC test questions cannot be written, primarily because the POs are too subjective or address local policies rather than statewide issues. It is proposed that these POs be deleted from the required Basic Course content. As a practical matter, most of the content proposed for deletion would continue to be included in instruction, but with testing no longer required.

Additionally, it is proposed that the Commission approve two deletions, three additions and 13 modifications to POs to keep training in areas of Juvenile Law, Crimes Against Children and Traffic relevant and up-to-date. These proposed changes have resulted from routine curriculum update reviews conducted by staff and subject matter

specialists. All proposed changes are concurred with by the consortium of academy directors.

It is anticipated that the 560 hours presently required to complete the basic course will not be affected by these proposed changes.

The proposed curriculum changes must be adopted pursuant to the Administrative Procedures Act. It is proposed that the abbreviated public notice process be used. If no one requests a public hearing, these proposed changes would go into effect upon approval as to form and procedure by the Office of Administrative Law.

The recommended action would be a MOTION to adopt, subject to the results of the Notice of Regulatory Action, proposed curriculum changes to the basic course to be effective upon approval as to form and procedure by the Office of Administrative Law.

CENTER FOR LEADERSHIP DEVELOPMENT

M. Report on Review of Executive Training/Command College Study

At the July 1992 meeting, the Commission requested a review of law enforcement executive training and the Command College. A study committee consisting of representatives from California Police Chiefs' Association, California State Sheriffs' Association, the United States military, the Federal government, state law enforcement training agencies, and the private sector met on September 23/25, 1992.

The committee reviewed all executive training and the Command College. A series of recommendations was developed for further study and consideration. The recommendations are described in the enclosed report.

If the Commission concurs, the recommended action would be a MOTION to receive the executive training and Command College study report with the understanding that recommendations in the report will be studied, developed, and brought back to the Commission prior to any implementation occurring.

TRAINING DELIVERY AND COMPLIANCE BUREAU

N. Modifying Testing Requirements of the P.C. 832 Course - Request for Regulation Change

The San Diego Sheriff's Department, since 1988, has employed and trained several hundred custodial deputies. In 1992, the Sheriff's Department discovered they had not notified

POST of the P.C. 832 training, nor had they administered tests, as required by State law and POST Regulations.

POST staff has evaluated the training conducted by San Diego Sheriff's Department since 1988 and determined the Commission's P.C. 832 course was presented. However, the lack of testing is another matter. Regulations require that these trainees be tested "immediately" following instruction. This immediacy requirement was intended to assure that students were tested before passage of time might diminish memory and skills.

The personnel affected have been trained, are on the job, and could be tested, except for the "immediacy requirement." The matter could be resolved if the Commission were to approve an amendment to regulations allowing for waiver of the immediate testing requirement whenever a retroactive course certification occurs.

If the Commission approves, a notice of Proposed Regulatory Action will be publicly noticed. No public hearing will be required unless requested by a member of the public. Upon approval of the regulation change by OAL, POST would arrange for administration of tests to the affected personnel of the San Diego Sheriff's Department.

If the Commission concurs, the appropriate action would be a MOTION to approve regulation amendment as described in the report, subject to results of a Notice of Proposed Regulatory Action.

EXECUTIVE OFFICE

O. Request for Contract with Los Angeles County Sheriff's Department for Special Consultant

Penal Code Section 13508 requires the Commission to conduct research and carry out pilot projects regarding the application of modern technology to law enforcement training. The law also requires a study of the feasibility of establishing regional skill training centers and an implementation plan for acquiring needed technology and facilities. A comprehensive report to the Legislature is required by January 1, 1995.

Work required by P.C. 13508 will be time consuming. It is proposed that a Special Consultant be employed to assist staff in the conduct of this work.

As described in the enclosed report, the Los Angeles Sheriff's Department is agreeable to a contract for the services of Lt. James Holts who has previously worked for

POST on a related project. Cost for his services, including salary and benefits, would be \$108,727.08 for a one-year period. The Commission should anticipate a recommendation in the future for extending the contract for a second year, as this will likely be a two-year study.

If the Commission concurs, the appropriate action would be a MOTION authorizing the Executive Director to enter into a contract with LASD for the described purpose in an amount not to exceed \$108,727.08. (ROLL CALL VOTE)

COMMITTEE REPORTS

P. Finance Committee

a. Review of Quarterly Financial Report and Current Reimbursement Rates

The Committee will review POST's mid-year financial position based upon current reimbursable training volume and revenue experience. The Committee will also review analysis of current salary and per diem reimbursement rates. Any recommendations of the Committee will be reported.

b. Review of Reimbursement Shift - Salary to Presentation Costs

At its October meeting, the Commission directed that further work be done towards possible implementation of this concept. The Committee will review results of work to date, including inputs from law enforcement groups, and report on recommendations to the Commission.

c. Proposed Contracts to be Negotiated for FY 93/94

At each January meeting, the Commission receives a report on major training and administrative contracts planned for the upcoming fiscal year. Information regarding these contracts is presented in order to obtain the Commission's final approval at the April 1993 Commission meeting. The Finance Committee will meet on January 20th to review its recommendations on the contract matters described below.

Assuming favorable recommendation of the Finance Committee, the appropriate action if the Commission concurs, would be a MOTION to authorize the Executive Director to negotiate the contracts and return them to the April meeting for formal approval.

Training Contracts

1. This course is presently budgeted at \$327,258 for 22 presentations spread among five presenters:

California State University - Humboldt
California State University - Long Beach
California State University - Northridge
California State University - San Jose
San Diego Regional Training Center

Course costs are consistent with Commission guidelines, and performance by all five presenters has been satisfactory. Staff anticipates modest increases over FY 1992/93 due to increased costs for instructors, coordination, facilities, and materials. No additional presenters or presentations are planned for FY 1993/94.

2. San Diego Regional Training Center for support of Executive Training (e.g., Command College, Executive Training, and Executive Seminars)

The San Diego Regional Training Center serves as the chief contractor for a variety of training activities of the Commission conducted by the Center for Leadership Development. Curriculum development as well as instructional and evaluation costs for these training activities for FY 1992/93 was \$562,166. Staff anticipates only modest increased costs in the 1993/94 contract.

3. CSU Long Beach for support of the Supervisory Leadership Institute

The CSU Long Beach Foundation provides administrative services for the Supervisory Leadership Institute. This includes training site support, ordering materials, paying instructors and auditors, and purchasing/maintaining equipment. Costs for these services in FY 1992/93 were \$403,873 for six classes running continuously throughout the year. Staff anticipates only modest increased costs in FY 1993/94.

4. Department of Justice Training Center

The Department of Justice has provided training to local law enforcement each year thorough an Interagency Agreement with POST since 1974. The Commission approved a current year contract in an amount not to exceed \$928,109.

Approval is requested to negotiate a similar agreement for Fiscal Year 1993/94. Staff anticipates that any presentation cost increases will be offset by the cancellation of existing courses or reducing course presentations where appropriate. The overall contract amount is expected to not exceed the 1992/93 total.

5. San Diego State University for 12 satellite video broadcasts

POST currently has an interagency agreement with San Diego State University for \$54,000 for the assembly and transmission of 12 videotape training programs during 1992/93. It is recommended that this interagency agreement be continued for similar services during 1993/94.

Approval is requested to negotiate a new contract with San Diego State University, or other units of the California State University System, for 12 satellite broadcasts.

6. Alameda County District Attorney's Office and Golden West College for Case Law Update Video Production

POST currently has contracts with Alameda County District Attorney's Office and Golden West College for \$52,000 for the production of 24 Case Law Update programs each during 1992/93. It is requested that these contracts be continued with similar amounts for similar services during 1993/94.

Approval is requested to negotiate new contracts with Alameda County District Attorney's Office and Golden West College for 24 programs from each producer.

7. 1993/94 Telecourse Programs

POST will have developed and delivered ten telecourse programs and two specialized training films during Fiscal Year 1992/93. The current contract for these 12 programs is with the San Diego State University for a cost not to exceed \$420,000, based on an average of \$35,000 to \$38,000 per program.

It is proposed to maintain the distance learning telecourse program at the same level for the

1993/94 Fiscal Year. The total cost of the telecourse programs would be approximately \$420,000.

Approval is requested to negotiate and enter into interagency agreement(s) with the San Diego State University for production and uplinking of 12 telecourse training broadcasts in an amount not to exceed \$420,000.

Standards Contracts

8. Cooperative Personnel Services for Basic Course Proficiency Exam

POST has contracted with Cooperative Personnel Services for administration of the POST Proficiency Examination each of the last ten years. The current year contract is for \$33,521. The proposed contract for FY 1993/94 is not expected to exceed this amount.

Approval is requested to negotiate a similar contract with Cooperative Personnel Services for FY 1993/94 for an amount not to exceed \$33,521.

9. Interagency Agreement with Cooperative Personnel Services for Entry-Level Reading and Writing Test Battery

POST has contracted with Cooperative Personnel Services for administration of the POST entry-level reading and writing test battery since 1983. The current year contract is for \$98,375. Owing to a significant reduction in testing volume, actual expenditures for FY 1992/93 are not expected to exceed \$75,000. The proposed contract for fiscal year 1993/94 is for an amount not to exceed \$75,000 and assumes that testing volume will remain unchanged from the current fiscal year.

Approval is requested to negotiate a similar contract with Cooperative Personnel Services for FY 1993/94 for an amount not to exceed \$75,000.

10. Interagency Agreement with Cooperative Personnel Services for P.C. 832 Written Examination

POST has contracted with Cooperative Personnel Services for administration of the P.C. 832 Written Examination since 1989. The current year

contract is \$78,472. The proposed contract for FY 1993/94 is not expected to exceed this amount.

Approval is requested to negotiate a similar contract with Cooperative Personnel Services for FY 1993/94 for an amount not exceed \$78,472.

Administrative Contracts

11. State Controller's Office for agreement for Auditing Services

Each year POST has negotiated an Interagency Agreement with the State Controller's Office to conduct audits of selected local jurisdictions which receive POST reimbursement funds. The Commission approved an agreement not to exceed \$85,000 for the current fiscal year.

Approval is requested to negotiate a similar agreement to maintain current level of service for FY 1993/94.

12. Interagency Agreement with Teale Data Center for Computer Services

Each year POST has negotiated an Interagency Agreement with Teale Data Center (as state agency) for computer services. The contract provides a link between POST's computer and the Data Center's mainframe computer. This allows data processing jobs and the storage of large data files that require more resources than POST's minicomputer can provide. The current year contract is for \$89,000.

Approval is requested to negotiate an Interagency Agreement with the Teale Data Center for computer services in 1993/94 for an amount similar to the current year's costs.

13. CALSTARS Contract

The mandated California Accounting and Reporting Systems (CALSTARS) requires an agreement with the Health and Welfare Data Center to provide computer linkage and necessary data processing services. The Commission approved a current year contract in an amount not to exceed \$25,000.

Approval is requested to negotiate a similar agreement to maintain the current level of required services for Fiscal Year 1993/94.

The Committee will also have reviewed six proposed items that call for Commission authorization to commit funds in this fiscal year: (1) Tab F - reimbursement for satellite antennas and IVD hardware; (2) Tab G - contract for satellite receiving antennas for community colleges; (3) Tab H - development of an interactive videodisc training program on alcohol and drug recognition; (4) Tab I - purchasing additional copies of the P.C. 832 IVD courseware sets; (5) Tab J - contract for development of basic academy report writing curriculum; and (6) Tab O - contract with Los Angeles County Sheriff's Department for a Special Consultant, all of which are elsewhere on this agenda. Committee recommendations will be offered as those contract proposals are addressed.

Q. Long Range Planning Committee

Chairman Block, who also chairs the Long Range Planning Committee, will report on the Committee meeting held in Los Angeles on January 7, 1993.

In addition to certain matters included elsewhere on this agenda, the Committee will have considered:

- possible changes relating to the CPT requirement
- status of the proposed Institute for Criminal Investigation
- SB 1261 which requires the Commission to implement a Law Enforcement Accreditation Program
- current experience with testing for arrest methods skills in the P.C. 832 course

R. Ad hoc POST/Labor Committee

Commissioner Lowenberg, Chairman of the Ad hoc POST/Labor Committee, will report on the Committee meetings held on October 15, 1992 and December 2, 1992 in Irvine.

S. Legislative Review Committee

Committee Chairman Block will report on the Committee meeting held January 21st just prior to the Commission meeting.

T. Advisory Committee

Committee Chairman Cois Byrd will report on the Committee meeting held January 20, 1993 in San Jose.

OLD/NEW BUSINESS

U. Appointment of Nominating Committee for Election of Officers

Chairman Block may appoint a Nominating Committee for election of Commission Chairman and Vice-Chairman for 1992-1993.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

April 15, 1993 - Pan Pacific Hotel - San Diego
July 22, 1993 - Pan Pacific Hotel - San Diego
November 4, 1993 - Orange County
January 20, 1994 - Bay Area



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

COMMISSION MEETING MINUTES

October 15, 1992
Radisson Hotel
Irvine, CA 92715

The meeting was called to order at 10:10 a.m. by Chairman Maghakian.

Commissioner Wasserman led the flag salute.

A calling of the roll indicated a quorum was present.

Commissioners Present:

Edward Maghakian, Chairman
Sherman Block
Jody Hall-Esser
Marcel Leduc
Ronald Lowenberg
Daniel E. Lungren, Attorney General
Raquel Montenegro
Devallis Rutledge
Floyd Tidwell
Robert Wasserman

Commissioners Absent:

Edward Hunt

POST Advisory Committee Members Present:

Charles Brobeck
Norman Cleaver
Joe Flannagan
Derald D. Hunt
Ernest Leach

Staff Present:

Norman C. Boehm, Executive Director
Glen Fine, Deputy Executive Director
Hal Snow, Assistant Executive Director
John Berner, Bureau Chief, Standards and Evaluation
Mike DiMiceli, Bureau Chief, Management Counseling
Bob Keel, Special Consultant, Management Counseling
Tom Liddicoat, Budget Officer, Administrative Services
Otto Saltenberger, Bureau Chief, Administrative Services
Gary Sorg, Consultant, Training Delivery Services

Darrell Stewart, Bureau Chief, Information Services
Frederick Williams, Bureau Chief, Compliance and Certificates
Vera Roff, Executive Secretary

Visitor's Roster:

Ray Brown, California Student Aid Commission
Hugh Foster, Goldenwest College
Reggie Frank, Sgt., San Diego Police Department
Steven Fredericks, Sgt., LASD
Jack Kenney, August Vollmer University
Roger Kenney, August Vollmer University
Olivia Maiser, Attorney General's Office
Roger Mayberry, Marshals' Association
Greg Mitchum, Rio Hondo Community College
Susan Newman, August Vollmer University
Frank Patino, Rio Hondo Community College
Charles Poe, Huntington Beach PD
Dean Rewerts, Legislative Chair, CAUSE
Vince Scally, Attorney General's Office
Gary Sprague, Placentia Police Department
Bill Stearns, Chief, Seal Beach PD
Bud Stone, PORAC
Hugh Targ, Costa Mesa, PD
Richard Wright, Huntington Beach POA

A. APPROVAL OF MINUTES

MOTION - Tidwell, second - Lowenberg, carried to approve the minutes of the July 16, 1992 regular Commission meeting held at the Radisson Hotel in San Diego.

CONSENT CALENDAR

B. MOTION - Wasserman, second - Lowenberg, carried unanimously to approve the following Consent Calendar:

B.1 Receiving Course Certification Report

B.2 Receiving Financial Report - First Quarter FY 1991/92

B.3 Receiving Information on New Entries of Parlier Police Department and the Kern County Department of Coroner into the POST Regular (Reimbursement) Program

B.4 Receiving Report on Withdrawal of Merced College Police Department from the POST Regular (Reimbursement) Program

B.5 Receiving Information on the New Entry of the California City Police Department into the Public Safety Dispatcher Program

PUBLIC HEARING

C. Receiving Testimony on Proposed Regulations Relating to Review of Video Tapes in POST-Certified Training

The purpose of the public hearing was to receive testimony in regard to proposed amendments to POST regulations relating to the review of video tapes in POST-certified training.

The public hearing was held in compliance with requirements set forth in the Administrative Procedures Act to provide public input on the proposed regulatory actions.

A report was presented by the Executive Director which included a summarization of written commentary received from the following:

Steven H. Staveley, Chief of Police, La Habra Police
Department
Edward H. Selby, Administration of Justice,
Southwestern College
David L. Brown, Chief of Police, Grover City Police
Department
Norman R. Cleaver, California Academy Directors
Association (CADA) Representative, Santa Rosa
Training Center

Staff reported that concern has existed for some time that audio/visual training aids, particularly videotapes, may not always be appropriately screened before being used in POST-certified training courses. The consequences of inappropriate video training tapes being used include potential erroneous actions by officers and liability for employers, trainers, and POST. The adoption of the proposed regulations would require review of audio/visual aids before their use in certified courses.

Following completion of the staff report, oral testimony in regards to the proposal was received from the following:

Norman R. Cleaver, CADA representative, Santa Rosa Training Center, expressed support for review of audio/visual material in keeping with the POST guidelines; however, he felt that academies should be the responsible entity. He suggested that it be handled through the use of guidelines which would allow each training center or agency academy to create a manageable policy and would reflect the local needs and protocol to meet the stated objective.

Mr. Cleaver further stated that a more generic policy leaving room for individual management by certified academies would be a more appropriate way to handle this issue. The usual manner of POST guidelines requiring academy implementation of a described policy is preferred over specific regulations. He also expressed concern that the use of current media items would be excluded.

Mr. Cleaver requested the issue be returned to staff for the purpose of working with CADA representatives in developing guidelines for review of these materials.

Derald Hunt, California Association of Administration of Justice Educators, suggested there should be a provision included to clarify how to proceed in the event not all reviewers are in agreement.

During discussion, concern was raised over the written critique requirement of a command officer, supervisor, or law enforcement trainer, and the specific exclusion of material currently in use.

MOTION - Block, second - Lowenberg, that the proposal be referred to staff for the purpose of limiting the establishment of guidelines by which the presenter would be obligated to review and evaluate material they are using, recognizing that training staff does monitor classes being presented throughout the state.

After discussion, motion withdrawn.

MOTION - Block, second - Wasserman, to eliminate the requirement for a written critique of all material, add the requirement that material currently in use, as it is being presented, be evaluated in concept of the guidelines, and to exclude current media information.

Motion withdrawn.

MOTION - Jody Hall-Esser, second - Lowenberg, and carried unanimously that the proposal be returned to staff for further review of proposed guidelines and regulations including input from the sounding board committee associated with this topic, and to continue the public hearing until the January 21, 1993 Commission meeting.

MANAGEMENT COUNSELING

D. California Student Aid Commission Appeal from Recommendation of Peace Officer Feasibility Study

In March 1990, the California Student Aid Commission (CSAC), requested a peace officer feasibility study on behalf of the CSAC investigators. After reviewing the work of the CSAC investigators, POST staff concluded: (1) the investigators are satisfactorily performing the duties and responsibilities specified for the position; and (2) peace officer powers and authority are not required to conduct CSAC investigations. Accordingly, the recommendation was not to designate CSAC investigators as peace officers.

Ray Brown, Supervising Special Investigator, California Student Aid Commission, presented an appeal from the study recommendation as provided by Commission Regulation 1019. He stated that although the current status under PC 830.11 gives the investigators limited peace officer authority, it falls short of the status that is required with regards to safety, liability, legality, and performance.

He further stated that the study did not recognize the majority of investigations were conducted for criminal violations, although they did not result in criminal prosecution. Mr. Brown distributed an analysis of the 1991 investigations case load for the Commission's review.

Dean Rewarts, Legislative Chair, CAUSE, appeared in support of approving peace officer powers and authority for CSAC investigators.

After considering the oral statements from Mr. Brown, Mr. Rewarts, and the staff report, the following action was taken:

MOTION - Wasserman, second - Rutledge, carried unanimously to deny the appeal and uphold the recommendation not to designate CSAC investigators as peace officers.

COMPLIANCE AND CERTIFICATES

E. Discussion of POST Commission Action which Expanded the Basis for Cancellation of POST Certificates

Staff reported that in July 1991 the Commission approved revisions of its regulations concerning cancellation of professional certificates. The changes made certificates subject to cancellation in selected instances where a felony was reduced to misdemeanor following conviction, or when the

individual is disqualified by Government Code Section 1029(a) from serving as a peace officer.

This matter was placed on the agenda for discussion at the request of law enforcement labor associations.

Bud Stone, Executive Director, Peace Officers' Research Association of California, requested that the matter be referred to the Joint POST Labor/Management Committee for further discussion and a report back at a future Commission meeting.

Dean Rewarts, Legislative Chairman, CAUSE, spoke in support of Mr. Stone's request which he felt would help strengthen the relationship between labor and management groups.

After considering the request of labor representatives, there was consensus that the matter be referred to the Joint POST Labor/Management Committee for additional discussion.

F. Scheduling a Public Hearing for January 1993 to Consider Adoption of Regulations to Recognize Degrees and Units Awarded by Certain Non-Accredited Colleges and Universities

One provision of SB 1126 is a requirement that the Commission recognize, for professional certificate awards, units awarded by non-accredited colleges and universities that specialize exclusively in criminal justice degree programs. This item was before the Commission to bring POST regulations in conformity with the new law.

MOTION - Lowenberg, second - Tidwell, carried unanimously to approve scheduling a public hearing for January 1993 to consider adoption of regulations to recognize degrees and units awarded by certain non-accredited colleges and universities.

EXECUTIVE OFFICE

G. Report on Academy Test Security Violation

Staff reported that several instructors at one academy had revealed the test questions in their subjects to the students prior to administration of the test. The incident prompted a review of the test security agreement that is signed by POST and the academies. As a result, a revised security agreement will be required that tightens controls and should provide assurance that similar security breaches will not occur in the future.

The academy involved in this incident has been very cooperative, has dismissed the instructors involved, and has

volunteered to provide staff to assist in writing replacement test items.

This report was for information only and no action was taken by the Commission.

H. Approval to Reschedule a Public Hearing Regarding Adoption of Regulations to Allow Reimbursement for Satellite Antennas

At its October 31, 1991 meeting, the Commission held a public hearing to adopt regulations to provide reimbursement to eligible agencies for the purchase of satellite antennas.

The Commission did not act on the proposal at that time for reasons related to: (1) a significant shortfall in revenue which compelled temporary suspension of salary reimbursement; (2) technical questions; and (3) concerns regarding the equitable distribution of reimbursement monies. As a result, the satellite reimbursement issue was referred to the Long Range Planning Committee for further study and recommendation.

The Long Range Planning Committee has since completed its review and recommended that the proposal before the Commission in 1991 should be reconsidered for adoption with the following additional provisions:

- o Reimbursement will be made only if sufficient funds are available; and
- o Large departments that have multiple sites where officers are convened for training would receive reimbursement for multiple satellite antenna purchases.
- o Reimbursement amounts would be established separately by the Commission.

MOTION - Hall-Esser, second - Rutledge, carried unanimously to schedule a public hearing in January 1993 to consider adoption of regulations allowing reimbursement for purchase of satellite receivers by participating agencies.

I. Report and Recommendation on Initiating a Center for Labor/Management Training

Based upon Commission direction at its April 9, 1992 meeting, a concept for the establishment of a Center for Law Enforcement Labor/Management Training was presented for consideration.

The proposed Center would restrict its activities to researching and developing training which would foster

cooperative relationships, effectiveness, and mutual understanding. Attendees would include law enforcement labor leaders and managers (supervisors, middle managers, and executives).

MOTION - Lowenberg, second - Montenegro, carried unanimously to approve the concept of the Center and to direct staff to develop a proposed implementation plan and report back.

COMMITTEE REPORTS

J. Finance Committee

Commissioner Wasserman, Chairman of the Finance Committee, reported on the committee meeting held October 14 in Irvine. Discussion included:

1. Approaches for a New Financial Support System

After review of the new financial support system proposal, the Committee recommended support of the proposed concept and recommended the Commission direct staff to convene a work group of law enforcement officials from agencies of varying sizes and geographical locations to review the ideas and provide necessary feedback. The Committee also recommended that the Commission direct staff to talk to the field about the idea and its supporting assumptions in some of their association meetings for further input. A report should be brought back at the January meeting with reactions, along with any modifications or refinements which appear appropriate.

MOTION - Wasserman, second - Tidwell, carried unanimously to establish a work group to review approaches for a new financial support system.

2. Proposal to Reimburse Local Agencies for a Portion of the Cost of Acquiring Interactive Videodisc Training Hardware

After discussion of the proposal to reimburse local agencies for a portion of the cost of acquiring interactive videodisc training hardware, the Committee recommended Commission approval of the following:

- o The IVD hardware reimbursement program should receive proportionate funding consideration as the satellite antennas.
- o Depending on the funding available, make specific determinations on the amount of reimbursement

depending on actual costs of equipment which might be purchased from master vendors or contracts that could reduce costs for each system.

- o Provide for reimbursement of the costs of participating large agency acquisition of hardware following the same guidelines established for acquisition of satellite antenna hardware. The potential of an estimated 100 additional training platforms could be addressed during the first or subsequent budget years, consistent with available reimbursement monies.
- o Approve a public hearing for the January 1993 meeting for the proposed regulation to provide authority for the reimbursement of funds to participating agencies for IVD hardware.

MOTION - Wasserman, second - Montenegro, carried unanimously to approve the recommendations of the Committee concerning IVD hardware.

MOTION - Block, second - Lowenberg, carried unanimously that the public hearing scheduled for the January 1993 Commission meeting on reimbursement for satellite antennas include reimbursement for IVD hardware.

3. Budgetary and Revenue Concerns

The Committee also reviewed budgetary and revenue concerns. It was noted that the training volume has reduced dramatically compared to the same period last year.

K. Training Review Committee

Commissioner Wasserman reported on the Training Issues Symposium II which was held in San Diego on September 15, 16, and 17. The symposium reviewed progress since the initial symposium a year ago in the areas of use of force, cultural awareness, supervisory accountability, and related topics.

The Committee recommended that:

1. The Commission direct staff to continue pursuing the implementation of the use of force recommendations;
2. High priority be given to further developing supervisory and field training officer training;

3. Staff be directed to explore the practicality of conducting a survey of the field to help identify commonly accepted parameters for teaching defensive tactics.

MOTION - Wasserman, second - Lowenberg, carried unanimously to direct staff to conduct a survey of the field as outlined.

4. A discussion at the symposium included a suggestion for a third symposium to be held on the same issues in the future. The Committee recommended that the suggestion be taken under advisement and brought back when it appears appropriate in the future.

There was consensus to accept the Committee's report and recommendations.

L. Long Range Planning Committee

Chairman Maghakian, who also chairs the Long Range Planning Committee, reported that the Committee met in Los Angeles on September 3, 1992. In addition to items previously addressed, there was a discussion concerning the Continuing Professional Training (CPT) Requirement.

The Committee considered a request that the Commission suspend the CPT requirement. It was concluded that it is timely for the CPT requirement to be thoroughly reviewed. After discussion, staff was directed to study the matter in conjunction with the new financial support formula and report back at a future meeting.

M. Legislative Review Committee

Commissioner Block, Chairman of the Commission's Legislative Review Committee, reported on the results of the Committee meeting held October 15, 1992 just prior to the Commission meeting and recommended the following positions on proposed legislation for the 1993 legislative session:

1. Long Term POST Funding - Committee recommends not to pursue at this time long term corrective legislation to restore previously lost revenue, but instead that POST initiate a program to familiarize state legislators with the POST Program with a longer-range view toward restoration of revenue.
2. Drug Asset Seizure Revenue - Committee recommends POST support, in concert with other law enforcement organizations, the continuation of POST eligibility for revenue from drug asset seizures.

3. Community College Tuition Exemption - Committee recommends that POST, in concert with other organizations, support a proposal to exempt persons attending community college courses from the \$50/semester unit fee attending courses for the purpose of satisfying state mandated training requirements.
4. Accessibility of Employer Information for Background Investigations - Committee recommends POST support a proposal to compel public and private employers to release documented information to law enforcement agencies pursuant to a signed and notarized release in conducting a background investigation on peace officer applicants. The proposal would exempt such employers from civil liability for doing so.
5. Retirement System for New POST Consultants - Committee recommends that POST support, in concert with other organizations, legislation to allow new POST Law Enforcement Consultants with a peace officer background to continue to participate in the Public Safety Retirement System.
6. Proposed Legislation on Public Safety Training Fund and Commission - Committee recommends POST oppose proposed legislation to establish a separate Public Safety Training Fund and Commission.

There was consensus that the Commission adopt the recommendations of the Legislative Review Committee.

N. Advisory Committee

Charles Brobeck, member of the POST Advisory Committee, reported that the Committee met on October 14, 1992 in Irvine, and took the following actions:

- o Discussed the membership make-up of the Advisory Committee and recommended no increase in labor representation at this time, and recommended that public safety dispatchers not be granted membership.
- o Expressed strong support for the recent Symposium on Training Issues held in San Diego and the direction the Commission is taking.
- o The Committee also expressed strong support for the proposed alternatives to POST's current reimbursement system.
- o Members Don Brown and Joe Flannagan expressed appreciation to the Commission for facilitating the

establishment of the Center for Labor/Management Issues.

- o Elected Cois Byrd as Chairman and Charles Brobeck as Vice-Chairman for the Advisory Committee for 1992-1993.

It was the consensus of the Commission to receive the report and to accept the recommendations of the Advisory Committee.

OLD/NEW BUSINESS

O. Appointment of Advisory Committee Member

Chairman Maghakian, appointed Marie Danner as a public member to fill the vacancy on the Advisory Committee. The appointment will expire in September 1993.

CORRESPONDENCE

- P. Letter from San Jose Police Chief Louis Cobarruviaz Regarding Dispatcher Position on Advisory Committee.

This item was addressed under Item "N" on the agenda.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

January 21, 1993 - Red Lion Hotel - San Jose
April 15, 1993 - Pan Pacific Hotel - San Diego
July 22, 1993 - Pan Pacific Hotel - San Diego
November 4, 1993 - Orange County

ADJOURNMENT - 1:35 p.m.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Course Certification/Decertification Report		Meeting Date January 21, 1993
Bureau Training Delivery & Compliance Bureau	Reviewed By <i>RIA</i> Ronald T. Allen, Chief	Researched By <i>R. Fuentes</i> Rachel S. Fuentes
Executive Director Approval <i>Morgan C. Belton</i>	Date of Approval 12-7-92	Date of Report December 4, 1992
Purpose: <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

The following courses have been certified or decertified since the October 15, 1992 Commission meeting:

CERTIFIED

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
1.	Confrontation Tactics	San Bernardino Co. S.D.	Technical	IV	\$ 4,570
2.	Diversionsary Devices Instructor	Los Angeles S.D.	Technical	IV	4,800
3.	Skills & Knowledge Modular Training	Palm Springs P.D.	Technical	IV	12,000
4.	Skills & Knowledge Modular Training	Santa Barbara S.D.	Technical	IV	2,700
5.	Traffic Collision Inv.	Riverside Co. S.D.	Technical	IV	20,646
6.	Reserve Training, Module C	Porterville College	Reserve Training	N/A	-0-
7.	Career Survival for Supervisors	Riverside Co. S.D.	Technical	IV	2,405
8.	Creative Problem Solving	FBI-San Francisco	Technical	IV	17,230
9.	Drug Influence - 11550 H&S	Butte College	Technical	IV	10,584

CERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
10.	Hostage Negotiation, Advanced	Oakland P.D.	Technical	IV	\$ 2,400
11.	Tactical Comm. for Instructors	Santa Rosa Center	Technical	IV	13,770
12.	Tactical Comm.	Napa Valley Col.	Technical	IV	26,400
13.	First Aid/CPR Instr.	Riverside Co. S.D.	Technical	IV	5,331
14.	Reserve Module, Module C	Redwoods Center	Technical	N/A	-0-
15.	Tactical Comm.	Santa Rosa Center	Technical	IV	21,600
16.	Advanced Officer	Palm Springs P.D.	Technical	II	25,536
17. - 23.	7 additional Proposition 115 Hearsay Evidence Testimony Course Presenters have been certified as of 12-04-92. Presentation of this course is generally done using a copy of POST Proposition 115 Video Tape. To date, 248 presenters of Proposition 115 have been certified.				

DECERTIFIED

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
1.	Train-the Trainer Communication	Santa Rosa Center	Technical	IV
2.	Supervisory Seminar Update	Santa Rosa Center	Technical	IV
3.	Admin. Services Mgmt.	CSU, Pomona	Mgmt. Trng.	III
4.	Driver Awareness Upd.	Los Angeles P.D.	Technical	IV
5.	Aircraft Disaster Preparedness	CSTI	Technical	III
6.	Hostage Negotiations, Advanced	FBI, Los Angeles	Technical	IV

DECERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
7.	Firearms Inst. - Semi-Automatic	FBI, Los Angeles	Technical	IV
8.	Child Abuse Update	Los Angeles S.D.	Technical	IV
9.	Traffic Court Preparation	Los Angeles P.D.	Technical	IV

TOTAL CERTIFIED	<u>29</u>
TOTAL DECERTIFIED	<u>09</u>
TOTAL MODIFICATIONS	<u>18</u>

1345 Courses certified as of 12-04-92
400 Presenters certified as of 12-04-92

669 Skills & Knowledge Modules certified as of 12-04-92
63 Skills & Knowledge Presenters certified as of 12-04-92

2,014 TOTAL CERTIFIED COURSES

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Financial Report - Second Quarter 1992-93		Meeting Date January 20, 1993
Bureau Administrative Services Bureau	Reviewed By Frederick E. Williams	Researched By Staff
Executive Director Approval	Date of Approval	Date of Report January 8, 1993
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

This report provides financial information relative to the local assistance budget through December 31, 1992. Revenue which has accrued to the Peace Officer Training Fund is shown as ~~one~~ expenditures made from the 1992-93 budget to California cities, counties and districts.

COMPARISON OF REVENUE BY MONTH - This report, shown as Attachment 1, identifies monthly revenues which have been transferred to the Peace Officer Training Fund. Through December 31, 1992, we received \$18,819,631. The total is \$1,053,631 (6%) more than originally anticipated on a straight line projection (see Attachment 1A) and is \$5,281,370 (39%) more than received the same period last fiscal year.

NUMBER OF REIMBURSED TRAINEES BY CATEGORY - This report, identified as Attachment 2, compares the number of trainees reimbursed this fiscal year with the number reimbursed last year. The 21,628 trainees reimbursed through the second quarter represents a 4,530 decrease (17%) compared to the 26,158 trainees reimbursed during the similar period last fiscal year.

REIMBURSEMENT BY COURSE CATEGORY - This report, identified as Attachment 3, compares the reimbursement paid by course category this year with the amount reimbursed last fiscal year. Second quarter reimbursement of \$7,511,627 represents a \$2,706,317 (26%) decrease compared to last fiscal year. The decreased level of reimbursement is primarily due to the reduction in the number of reimbursed trainees and a lower salary reimbursement rate. Attachment 4 shows the current Fiscal Year 1992-93 budget summary and the status of the local assistance budget as of December 31, 1992.

ANALYSIS - The Second Quarter training volume and reimbursement expenditures are significantly less than fiscal year projections. Staff had projected an increase in the trainee volume and reimbursement expenditures over that observed last fiscal year, but this had not materialized. As a result, staff now project that the current year trainee volume will be 45,255 trainees, 14,800 less than FY 1991-92.

11 12
On the other hand, revenue for the first six months of the fiscal year is slightly above expectations. If it meets budget projections and trainee volume remains low, there will be a significant end of year balance. The Commission will consider approval of new programs, involving the funding of satellite antennas and IVD hardware. There will be sufficient funds to accommodate these programs. Reports are being submitted for consideration of the Finance Committee for possible adjustment of the salary rate and the increase of the per diem rate.

File: 9283REV1

COMPARISON OF REVENUE BY MONTH

FISCAL YEARS 1991-92 AND 1992-93

MO	1991-92			1992-93			% OF EST
	PENALTY ASSESMENT FUND	OTHER	CUMULATIVE TOTAL	CUMULATIVE MONTHLY ESTIMATE	PNALTY ASSESMENT FUND	OTHER **	
JUL	2,886,023	25,676	2,911,699	2,961,000	3,328,543	16,927	112.98%
AUG	1,992,791	24,624	4,929,114	5,922,000	1,638,281	9,755	55.66%
SEP	1,467,766	7,359	6,404,239	8,883,000	4,700,348	22,530	159.50%
OCT	2,378,813	13,105	8,796,157	11,844,000	2,882,743	19,297	98.01%
NOV	1,722,707	12,819	10,531,683	14,805,000	3,207,262	29,649	109.32%
DEC	2,970,202	36,376	13,536,261	17,766,000	2,945,291	19,005	100.11%
JAN	3,461,559	242,073	17,241,893	20,877,000		0	0.00%
FEB	2,382,614	18,219	19,642,726	23,838,000		0	0.00%
MAR	3,589,609	30,578	23,282,913	26,799,000		0	0.00%
APR	2,244,871	32,143	25,539,927	29,780,000		0	0.00%
MAY	2,770,155	15,149	28,325,231	32,721,000		0	0.00%
JUN	3,275,015	213,817	31,814,063	35,835,000		0	0.00%
TOT	31,142,125	671,938	31,814,063	35,835,000	18,702,489	117,163	52.52%
							52.52%

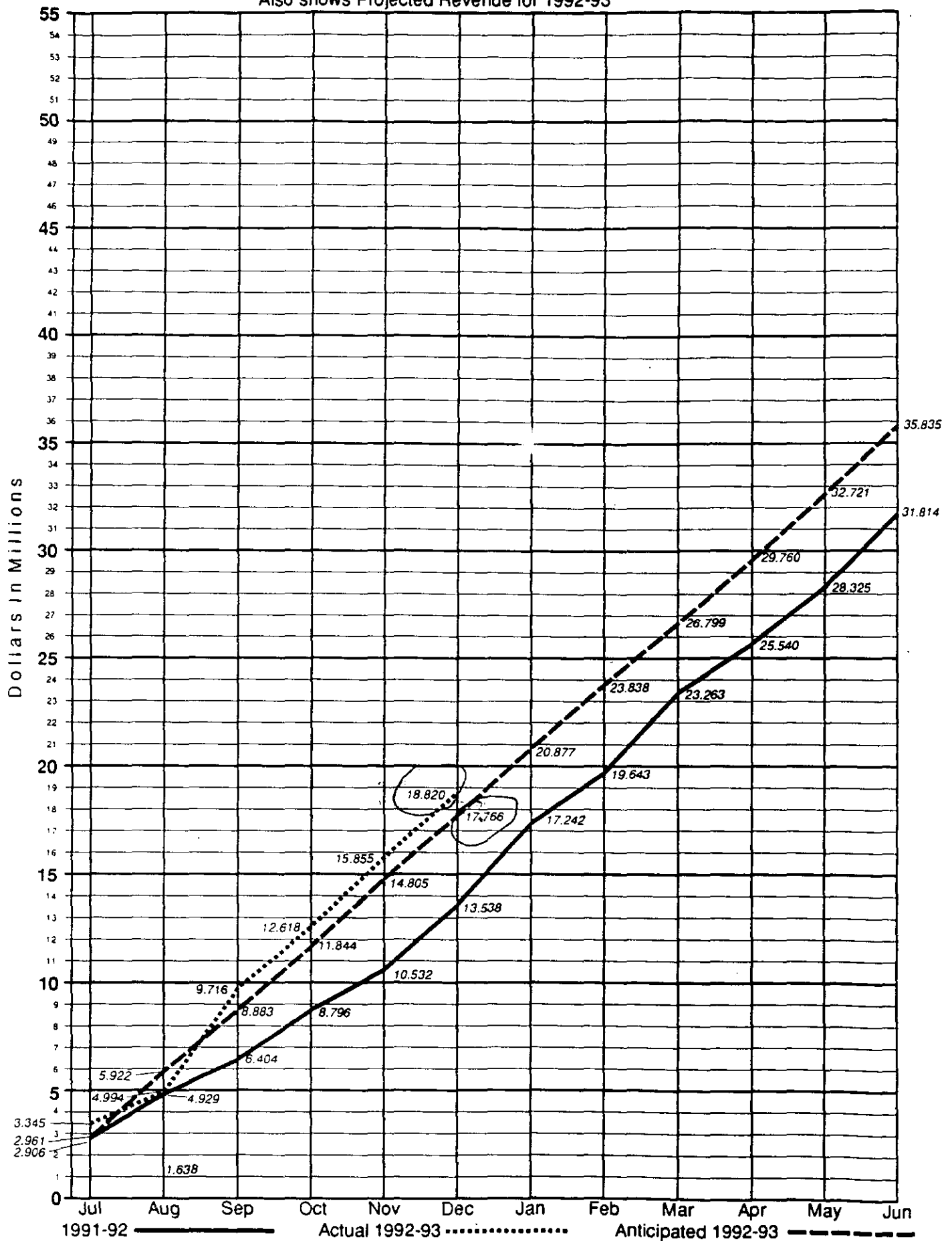
** - Includes \$83,785 from coroner permit fees (per Ch 990/90)

Comparison of Revenue by Month

Attachment 1A

Fiscal Years 1991-92 and 1992-93

Also shows Projected Revenue for 1992-93



Commission on POST

NUMBER OF REIMBURSED TRAINEES BY CATEGORY - FOR CLAIMS PROCESSED

December 1992

	1991-92			1992-93		
	Actual Total For Year	Actual Jul-Dec.	% of Total	Projected Total For Year	Actual Jul-Dec.	% of Projection
Basic Course	2,121	978	.46	2,400	625	.26
Dispatchers - Basic	614	295	.48	650	219	.34
Advanced Officer Course	18,045	6,050	.34	18,500	4,894	.26
Supervisory Course (Mandated)	735	286	.39	800	322	.40
Supervisory Seminars & Courses	3,471	1,601	.46	3,500	1,524	.44
Management Course (Mandated)	311	80	.26	350	55	.16
Management Seminars & Courses	2,366	1,019	.43	2,400	956	.40
Executive Development Course	708	278	.39	710	173	.24
Executive Seminars & Courses	625	291	.47	650	237	.36
Other Reimbursement	258	178	.69	300	76	.25
Technical Skills & Knowledge Course	29,295	14,530	.50	30,000	11,940	.40
Field Management Training	24	11	.46	30	13	.43
Team Building Workshops	536	211	.39	550	168	.31
POST Special Seminars	873	316	.36	900	383	.43
Approved Courses	73	34	.47	80	43	.54
TOTAL	*60,055	26,158	.44	61,820	21,628	.35

Includes 3,766 trainees paid in supplemental salary reimbursement only.

COMMISSION ON POST
REIMBURSEMENT BY COURSE CATEGORY

Course Category	1991-1992		1992-1993	
	*Total For Year	Actual July-Dec.	December	Actual **July-Dec.
Basic Course	\$ 5,890,494	\$2,585,060	\$200,581	\$1,667,875
Dispatchers-Basic	432,328	165,215	24,445	131,183
Advanced Office Course	4,387,424	1,220,643	193,984	807,485
Supervisory Course (Mandated)	756,840	265,581	22,010	237,627
Supervisory Seminars and Courses	1,223,975	595,256	141,029	552,553
Management Course (Mandated)	452,372	110,935	15,576	68,774
Management Seminars and Courses	917,098	397,369	98,907	266,797
Executive Development Course	507,095	208,107	10,809	114,457
Executive Seminars and Courses	207,442	94,116	30,469	60,572
Other Reimbursement	172,062	110,687	18,284	61,520
Technical Skills and Knowledge Courses	8,850,228	4,294,615	695,982	3,376,177
Field Management Training	9,740	5,178	2,961	5,706
Team Building Workshops	225,749	84,492	15,944	78,302
POST Special Seminars	200,552	74,015	10,447	73,520
Approved Courses	14,432	6,675	957	9,079
TOTAL	\$ 24,247,885	\$10,217,944	\$1,482,385	\$7,511,627

*Includes funds charged to 90-91 F. Y. for training
 *Includes FY 91-92 supplemental salary reimbursement
 **Includes \$2,122,112 charged to 91-92 F.Y.

Commission on POST

SUMMARY OF REIMBURSEMENT EXPENSE CATEGORIES

EXPENSE CATEGORIES	Total * 1991-92 FY	1991-92 * July-Dec.	1992 December	1992-93 ** Jul-Dec.
Resident Subsistence*	\$ 8,125,495	\$3,871,194	\$564,022	\$2,895,377
Commuter Meal Allowance	949,865	504,631	67,592	254,757
Travel	3,047,191	1,483,147	262,598	1,148,066
Tuition	3,455,675	1,575,761	290,755	1,275,947
Salary*	8,669,659	2,783,211	297,418	1,937,480
Totals	\$24,247,885	\$10,217,944	\$ 1,482,385	\$7,511,627

*Includes funds charged to 90-91 F.Y. for training
 Includes FY 91-92 supplemental salary reimbursement
 **\$2,122,112 charged to 1991-92 F.Y.

* Million dollar decreases compared first half of
 fiscal year - 91/92 to 92/93

COMMISSION ON POST
FY 92-3 BUDGET SUMMARY

ATTACHMENT 4

	REVISED GOVERNOR'S BUDGET
RESOURCES:	
Beginning Reserves	2,380,000
Rollover from FY 91-92	2,137,189
Revenue Projection	35,835,000
Asset Forfeitures	456,000
Transfer to the General Fund	(394,000) *
Sub-total, Resources	40,414,189
EXPENDITURES:	
1. Administration/Support	9,463,000
2. Training Contracts/ LA	4,100,000
a. Letters of Agreement	(1,000,000)
b. Training Contracts	(3,100,000)
3. Training Reimbursements	26,851,189
Total	40,414,189
RESERVES	0

TRAINING REIMBURSEMENTS BUDGET SUMMARY

	Allocated	Expended	Balance
Course Reimbursements	24,714,000	5,389,515	19,324,485
Carryover from FY 91-92	2,137,189	2,122,112	15,077
Sub-total, Reimbursements	26,851,189	7,511,627	19,339,562

* - See attached

ATTACHMENT 4A

The Budget Act of 1992 contained two new control sections which adversely affect POST. First, Section 3.70 authorizes the Department of Finance to direct the State Controller to transfer moneys from departmental appropriations to the General Fund to reflect salary reductions from the implementation of the personal leave program (PLP). Under the PLP employees receive an 8-hour pay reduction (about 5%) in exchange for an increase of 8 hours of personal leave credits. For FY 92-93, this amounts to \$94,000 for POST.

Secondly, Section 14.75 states that interest earned by departments for FY 92-3 shall be transferred to the General Fund. POST estimates the amount of interest earnings subject to transfer under this section to be \$300,000.

The total of the two actions results in a transfer from the POTF to the General Fund of \$394,000 for FY 92-93.

	REVISED GOV BUD
RESOURCES:	
Beginning Reserves	2,380,000
Revenue Projection	35,835,000
Asset Forfeitures	456,000
Transfer to the General Fund	(394,000)
Sub-total, Resources	38,277,000
EXPENDITURES:	
1. Administration/Support	9,463,000
2. Training Contracts/ LA	4,100,000
a. Letters of Agreement	(1,000,000)
b. Training Contracts	(3,100,000)
3. Training Reimbursements	24,714,000
Total	38,277,000
RESERVES	0

TRAINING REIMBURSEMENTS BUDGET SUMMARY

Number of Trainees:	45,255	
Training Reimbursements	24,714,000	
PLUS: Rollover from FY 91-92	2,137,189	
Sub-total, Reimbursements	26,851,189	
LESS: Subsistence & other	11,271,148	
Available for Salary	15,580,041	
LESS: Per Diem Increase (\$92)	294,000	*
Balance Available	15,286,041	
LESS: Funding Alternatives:		
1. Satellite Dishes	(1,500,000)	**
2. IVD Equipment	(3,200,000)	**

* - 5 month partial year cost

** - Total estimates. It is uncertain how much will be spent this FY.

FISCAL YEAR 1992-93
SALARY REIMBURSEMENT MATRIX
(45,255 TRAINEES PROJECTED)

BASIC TRAINEES

	0	1%	10%	20%	30%	35%	40%	45%	50%	55%	60%
0		118,369	1,183,690	2,367,380	3,551,070	4,142,915	4,734,760	5,326,605	5,918,450	6,510,295	7,102,140
1%	109,927	228,296	1,293,617	2,477,307	3,660,997	4,252,842	4,844,687	5,436,532	6,028,377	6,620,222	7,212,067
5%	549,635	668,004	1,733,325	2,917,015	4,100,705	4,692,550	5,284,395	5,876,240	6,468,085	7,059,930	7,651,775
10%	1,099,270	1,217,639	2,282,960	3,466,650	4,650,340	5,242,185	5,834,030	6,425,875	7,017,720	7,609,565	8,201,410
15%	1,648,905	1,767,274	2,832,595	4,016,285	5,199,975	5,791,820	6,383,665	6,975,510	7,567,355	8,159,200	8,751,045
20%	2,198,540	2,316,909	3,382,230	4,565,920	5,749,610	6,341,455	6,933,300	7,525,145	8,116,990	8,708,835	9,300,680
25%	2,748,175	2,866,544	3,931,865	5,115,555	6,299,245	6,891,090	7,482,935	8,074,780	8,666,625	9,258,470	9,850,315
30%	3,297,810	3,416,179	4,481,500	5,665,190	6,848,880	7,440,725	8,032,570	8,624,415	9,216,260	9,808,105	10,399,950
35%	3,847,445	3,965,814	5,031,135	6,214,825	7,398,515	7,990,360	8,582,205	9,174,050	9,765,895	10,357,740	10,949,585
40%	4,397,080	4,515,449	5,580,770	6,764,460	7,948,150	8,539,995	9,131,840	9,723,685	10,315,530	10,907,375	11,499,220
45%	4,946,715	5,065,084	6,130,405	7,314,095	8,497,785	9,089,630	9,681,475	10,273,320	10,865,165	11,457,010	12,048,855
50%	5,496,350	5,614,719	6,680,040	7,863,730	9,047,420	9,639,265	10,231,110	10,822,955	11,414,800	12,006,645	12,598,490
55%	6,045,985	6,164,354	7,229,675	8,413,365	9,597,055	10,188,900	10,780,745	11,372,590	11,964,435	12,556,280	13,148,125
60%	6,595,620	6,713,989	7,779,310	8,963,000	10,146,690	10,738,535	11,330,380	11,922,225	12,514,070	13,105,915	13,697,760

O T H E R T R A I N E E S

ALTERNATIVES FOR SALARY REIMBURSEMENT

	A (40%)	B (45%)	C (50%)	D (55%)
Available for salary	15,286,041	15,286,041	15,286,041	15,286,041
Salary reimbursement	9,131,840	10,273,320	11,414,800	12,556,280
Balance	6,154,201	5,012,721	3,871,241	2,729,761

Memorandum**To:** Finance Committee**Date:** January 19, 1993**From:** NORMAN C. BOEHM
Executive Director
Commission on Peace Officer Standards and Training**Subject:** RECOMMENDED INCREASE IN TRAINEE PER DIEM RATE

San Luis Obispo County Chiefs' Association has requested the Commission consider increasing per diem allowances. They cite high cost of lodging. The results of a recent survey conducted by the association showed that, although there are regional differences, the average daily cost of lodging is approximately \$67.00. We reviewed POST audit reports and determined that there is the need to increase the per diem rate. The reports show a cross section of agencies around the State indicating that the current per diem rate is insufficient.

It appears appropriate that the Commission consider an increase in the per diem rate. Based upon an analysis of average costs to agencies, it is recommended that the per diem rate be increased by \$10.00, i.e., from \$82.00 to a \$92.00 daily rate. The Basic Course long-term per diem rate would be increased from \$41.00 to \$46.00, a 12% increase which is consistent with the regular per diem rate of increase.

Enacting this recommended increase effective February 1, 1993 would have the fiscal impact of \$294,000 for the remainder of this fiscal year. On an annualized basis, the increase would impact the POTF by \$705,000, based on our most recent projection of 45,255 trainees. The impact would have been \$1,050,940 based on our original annual projection of 61,820 trainees.

There are sufficient funds available to accommodate this increase.

As the Commission may recall, the per diem rate is not tied to the rate set by the State for expenses incurred by its employees. As a matter of information, however, the State per diem rate is:

- * \$37.00, meals and incidentals
- * up to \$79.00 for actual cost of lodging, with receipt.

If the Committee agrees, the appropriate action would be to recommend that the Commission adopt an increase in the trainee per diem rate of \$10.00, to be effective with all claims received after February 1, 1993.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title New Agency - Tehama County Coroner's Department		Meeting Date January 21, 1993
Bureau Compliance and Certificate Services	Reviewed By <i>2</i> Frederick Williams	Researched By Thomas Farnsworth
Executive Director Approval <i>Morgan C. Behm</i>	Date of Approval 10-16-92	Date of Report October 9, 1992
Purpose: <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

The Tehama County Coroner's Department is seeking entry into the POST Reimbursable Program on behalf of its investigators.

BACKGROUND

The provisions of 830.35 Penal Code permit the Coroner's Department to employ sworn investigators. The County of Tehama has submitted the proper documentation supporting POST objectives and regulations.

ANALYSIS

The Tehama County Coroner's Department has one full-time investigator. Adequate background investigations have been conducted and the agency is complying with POST Regulations. Fiscal impact for reimbursement of training costs approximately \$1,000 per year.

RECOMMENDATION

The Commission be advised that the Tehama County Coroner's Department be admitted into the POST Reimbursement Program consistent with Commission Policy.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Public Safety Dispatcher Program		Meeting Date January 23, 1993
Bureau Training Delivery & Compliance Bureau	Reviewed By Ronald T. Allen <i>RIA</i>	Researched By Bob Spurlock <i>RS</i>
Executive Director Approval <i>Morgan C. Belton</i>	Date of Approval 11.25.92	Date of Report November 25, 1992
Purpose: <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUES

Acceptance of the Montclair Police Department into the Public Safety Dispatcher Program.

BACKGROUND

The Montclair Police Department has requested participation in the POST Reimbursable Public Safety Dispatcher Program pursuant to Penal Code Sections 13510(c) and 13525. The agency has expressed willingness to abide by POST Regulations and has passed an ordinance or resolution as required by Penal Code Section 13522.

There are currently 316 agencies participating in the program.

ANALYSIS

The agency presently employs full-time dispatchers. The agency has established minimum selection and training standards which equal or exceed the standards adopted for the program.

RECOMMENDATION

The Commission be advised that the subject agency has been accepted into the POST Reimbursable Public Safety Dispatcher Program consistent with Commission policy.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Annual Review of Command College Tuition		Meeting Date January 21, 1993
Bureau Center for Leadership Development	Reviewed By <i>Doug Thomas</i>	Researched By Beverley Short
Executive Director Approval	Date of Approval	Date of Report November 20, 1992
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

This item is before the Commission for its annual review of the Command College tuition.

BACKGROUND

At the January 1987 meeting, the Commission designated a tuition be charged all eligible, non-reimbursable agencies desiring to send participants to the Command College. The Commission also directed staff to monitor the direct costs of the two-year program and to submit a report annually with recommendations for the tuition rate for the coming year.

The current tuition approved by the Commission for participants beginning the Command College program in 1992 is \$3,728.

The non-reimbursable agencies currently in the Command College and being charged a tuition are the California Highway Patrol, the Department of Justice, Los Angeles Housing Police, and the Department of Motor Vehicles. The total amount of tuition collected for the 15 officers from these non-reimbursable agencies since it was implemented with Class 8 in June 1987 is \$51,751.15.

ANALYSIS

The recommended tuition based on anticipated direct Command College costs per participant for the two-year program in Classes 20 and 21 is \$3,790. The cost breakdown is as follows:

Per Student

Faculty	\$2,173
Facility Fees	378
Project Consultants	400
Independent Project and Intercession Grading	443
Lead Faculty Meeting	167
Academic Consultant Training	<u>229</u>

Total \$3,790

The recommended tuition per participant of \$3,790 for 1993 is an increase of \$62 over the 1992 tuition.

Administrative and presentation costs for the Command College are expected to remain relatively the same for the next two classes, with only a slight increase (1.6%), created primarily by a strengthening of the requirements for Intersession assignments and subsequent grading.

RECOMMENDATION

Approve an increase in the Command College tuition for the two-year program from \$3,728 to \$3,790. The tuition would be effective for the Command College Class 20 beginning May 23, 1993, and Class 21 beginning January 30, 1994.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Supervisory Leadership Institute Tuition		Meeting Date January 21, 1993
Bureau Center for Leadership Development	Reviewed By <i>Doug Thomas</i>	Researched By Tom Hood
Executive Director Approval <i>Morgan C. Becker</i>	Date of Approval 12-1-92	Date of Report November 20, 1992
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue

This item is before the Commission for its annual review of the Supervisory Leadership Institute tuition.

Background

At the January 1991 meeting, the Commission designated a tuition be charged all eligible non-reimbursable agencies desiring to send participants to the Supervisory Leadership Institute. Staff was instructed to annually review tuition and to report to the Commission each January with the recommended tuition for classes beginning the coming year.

The current tuition approved by the Commission for participants beginning in July 1991 is \$1,568 for the eight-month program.

The non-reimbursable agency currently in the Supervisory Leadership Institute and being charged a tuition is the California Highway Patrol.

Analysis

The recommended tuition based on anticipated direct Supervisory Leadership Institute cost per participant in 1993 remains at \$1,568. The cost breakdown is as follows:

Instruction	\$ 912.
Supplies	95.
Instructor Travel/Per Diem	391.
Facility Rental/Misc.	<u>170.</u>
	\$1,568.

Recommendation

Approve a tuition of \$1,568 for non-reimbursable agencies, to cover the direct costs for participation in the Supervisory Leadership Institute for classes beginning July 1993 through June 1994.



Resolution OF THE *Commission on Peace Officer Standards and Training* STATE OF CALIFORNIA

WHEREAS, Philip A. Goehring retired on December 28, 1992 as Chief of Fullerton Police Department; and

WHEREAS, Chief Goehring entered the Fullerton Police Department in May of 1961 as a police officer and has served with distinction for 32 years; and

WHEREAS, he has attained all ranks and served in most assignments within the department; and

WHEREAS, he has continuously pursued personal development including academics attaining a Juris Doctor in Laws degree and passing the State Bar Exam; and

WHEREAS, he contributes to the preparation of officers by teaching college and academy courses; and

WHEREAS, Chief Goehring's leadership has resulted in many department accomplishments including a new police building in 1974, automated computer system, Operation Cleanup, and many other innovations; and

NOW THEREFORE BE IT RESOLVED, the Commission on Peace Officer Standards and Training recognizes Chief Goehring's many contributions to law enforcement and the people of California; and

FURTHER BE IT RESOLVED THAT the Commission wishes Chief Goehring continued success and happiness in retirement.

Chairman

Executive Director

January 9, 1993

Date

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Public Hearing: To Consider Adoption of Regulations to Reimburse Local Agencies for the Purchase of Satellite Antenna and Interactive Computer Hardware Systems		Meeting Date January 21, 1993
Reviewed By Otto Saltenberger	Researched By Ken Whitman	
Training Program Svs.	Date of Approval 12-17-92	Date of Report November 18, 1992
Executive Director Approval Thomas C. Becken		
Purpose:		Financial Impact:
<input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission enact regulations providing reimbursement to eligible agencies for the purchase of steerable C/Ku band satellite ground terminals and interactive computer hardware systems.

BACKGROUND

At its October 31, 1991 meeting, the Commission held a public hearing to adopt regulations to provide reimbursement to eligible agencies for the purchase of satellite antenna systems. The hearing was the result of the Long Range Planning Committee's recommendation to go forward on ACR 58 issues and a highly positive response by local agencies to a field survey soliciting input on satellite purchase cost reimbursement.

The Commission did not act on the proposal for reasons related to: 1) a significant shortfall in revenue which compelled temporary suspension of salary reimbursement, 2) technical questions, and 3) concerns regarding the equitable distribution of reimbursement monies. As a result, the satellite reimbursement issue was referred back to the Long Rang Planning Committee for further study and recommendation.

At its October 15, 1992 meeting, the Commission received reports from the Long Range Planning Committee and the Finance Committee recommending the adoption of regulations to provide reimbursement to eligible agencies for the purchase or upgrade of satellite antennas and included the reimbursement for purchase or upgrade of interactive computer hardware systems. Both committees had received input on financial, technical, and equity issues concerning the satellite antenna and interactive hardware system programs.

Based upon recommendations from both the Long Range Planning and Finance Committees, the Commission approved a public hearing for January 21, 1993 to adopt regulations allowing the Commission to reimburse participating agencies towards the purchase of a satellite antenna system and an interactive computer hardware system. Once the regulations are approved to permit it, the actual amount of any such reimbursement would be set by separate Commission action, consistent with available funds.

ANALYSIS

It is proposed that Sections 1020 and 1021 be added to POST regulations, and Section 1015 be amended. These additions and amendments to POST Regulations would provide the Commission with the authority to reimburse eligible agencies for equipment costs incurred in the purchase of steerable C/Ku band satellite antenna systems and interactive videodisc hardware systems. It is the intent of these regulations to provide a statewide satellite and interactive computer training network with each eligible agency able to participate as a system user.

Satellite Antenna Reimbursement

Under the proposed Satellite Antenna System Reimbursement Program, each agency would be reimbursed for the purchase of a C/Ku band steerable antenna system capable of receiving satellite training programs from POST and other non-encrypted sources from a variety of satellites available for viewing. Based upon a review of technical requirements by a panel of experts in the satellite distance learning field, the minimum characteristics of basic POST satellite antenna system has been identified.

The antenna systems would provide law enforcement agencies statewide with the capability to receive over 100 broadcast channels. It would allow agencies the capability of moving from satellite to satellite to capture programs of interest on both C and Ku bands.

The costs for upgrading an existing C band satellite antenna system to a steerable C/Ku band system range from \$2,500 to \$2,800. The cost of purchasing a single complete steerable C/Ku band software system is approximately \$3,000.

The fiscal impact for full reimbursement of costs for the purchase of a complete satellite system or the upgrading of an existing satellite system could range from \$1.5 million to \$1.9

Commission on Peace Officer Standards and Training

NOTICE OF PUBLIC HEARING

**REIMBURSEMENT OF SATELLITE ANTENNAS
AND INTERACTIVE VIDEODISC DELIVERY SYSTEMS**

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Sections 13503, 13506, and 13520 of the Penal Code, and in order to implement, interpret or make specific Sections 13523, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations. A public hearing to adopt the proposed amendments will be held before the Commission on:

Date: January 21, 1993
Time: 10:00 a.m.
Place: Red Lion Hotel, San Jose

Notice is also hereby given that any interested person may present oral statements or arguments, relevant to the action proposed, during the public hearing.

INFORMATIVE DIGEST

In the interest of providing standardized high-quality training to law enforcement agencies in all areas of California at the lowest possible cost, POST is regularly broadcasting live, interactive satellite programs, and is certifying interactive videodisc training. Currently, law enforcement personnel wanting to attend satellite training must travel to their local community college or the closest law enforcement agency equipped with a satellite antenna that will receive these programs. With that same purpose in mind, lowering training costs, POST has developed courses for the interactive videodisc delivery system. This training is also provided through local community colleges and a few agencies that have acquired IVD delivery systems.

The Commission recognizes that training costs could be lowered even further if participating agencies purchased satellite antennas and/or IVD systems for agency training sites, thus eliminating travel costs to community colleges and neighboring agencies. The Commission would like to encourage eligible agencies to purchase their own satellite antennas and/or IVD systems by proposing new regulations which would allow for reimbursement of those systems.

Penal Code Section 13523 directs the Commission to allocate monies from the Peace Officer Training Fund for training expenses to qualified cities, counties, and districts at an amount determined by the Commission pursuant to standards set forth in its regulations. The Commission is proposing the addition of Regulations 1020 and 1021 to establish the requirements for

reimbursement of a satellite antenna(s) and/or IVD system(s) respectively. The proposed regulations also include provisions for reimbursement to upgrade existing antennas and upgrade computers to IVD systems when certain requirements of the regulations are met.

Commission Regulation 1015, currently sets forth the requirements for reimbursement of training courses. The Commission is proposing to amend Regulation 1015 to clarify that the requirements set forth in 1015 apply **only** to reimbursement of training courses and that the requirements for reimbursement of satellite antennas and interactive videodisc delivery systems are set forth in proposed Regulations 1020 and 1021, respectively.

Proposed Regulations 1020 and 1021 would require eligible agencies to submit an invoice(s) and a signed letter of attestation in order to claim reimbursement for one/multiple antenna(s) or IVD system(s). Satellite antenna(s)/upgrade(s) and IVD system(s)/upgrade(s) must be dedicated to the delivery of training programs. They must also be installed in a location used regularly for in-service training and at an agency facility. The proposed regulations also include provisions for acceptance of purchases made prior to the effective date of these regulations. Costs associated with installing or maintaining the systems are not reimbursable.

Notwithstanding the provisions of Regulations 1020 and 1021, reimbursement to eligible agencies will not be paid unless the Commission has concluded that sufficient funds are available. The rates of reimbursement shall be determined by the Commission. These rates may not cover actual costs.

Nothing in the proposed regulations shall be construed to require eligible agencies to purchase and claim reimbursement for a satellite antenna and/or IVD system.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed actions. All written comments must be received at POST no later than 4:30 p.m. on January 4, 1993. Written comments should be directed to Norman C. Boehm, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Blvd., Sacramento, CA 95816-7083.

ADOPTION OF PROPOSED REGULATIONS

After the hearing, and consideration of public comments, the Commission may adopt the proposals substantially as set forth without further notice. If the proposed text is modified prior to adoption and the change is related, but not solely grammatical or nonsubstantial in nature, the full text of the resulting regulation will be made available at least 15 days before the date of adoption to all persons who testified or submitted

million. These figures are based on one system per agency and 100 additional systems to address multiple agency training site needs.

Interactive Computer Hardware Reimbursement

Each agency would be reimbursed for the purchase of an interactive computer hardware system, or for the upgrade of an existing personal computer system to an interactive system. The interactive computer hardware consists of a 386 DX or higher personal computer, a VGA monitor, and a laser disc player capable of running available interactive courseware. A variety of courseware for this system is available from commercial and governmental sources as well as from POST.

Two POST-developed courseware programs, the Introduction to Law Enforcement PC 832 course, and the Law Enforcement Driver Training course are now available. The First Aid/CPR course will be completed in March 1993.

POST is currently looking at other potential subject matter such as hazardous materials management; identification of narcotics/illegal substances; decision-making scenarios dealing with cultural awareness, Spanish language training, use of force and tactical intervention; patrol; supervision; and management decision-making scenarios.

Costs for upgrading an existing personal computer range from \$2,695 to \$4,695 and for a complete system the costs range from \$5,900 to \$7,500.

The fiscal impact for full reimbursement of interactive computer hardware ranges from \$1.7 million to \$3.7 million. These figures are based on one system per agency and 100 additional systems to address multiple agency training site needs.

Additional Information

Under the proposed regulation changes, all 534 agencies currently participating in the POST program would be eligible to receive reimbursement for the purchase of a satellite antenna and interactive computer hardware system. Previously acquired systems which meet specifications would also be eligible for reimbursement. Any installation and maintenance costs for the satellite antenna and interactive computer hardware systems would be borne by the agency.

Each agency would be eligible for one of each system (satellite and interactive computer hardware) authorized for reimbursement. Larger agencies would be conditionally eligible for more than one of each system. Agencies would be required to attest that the system(s) was installed at an agency facility and that the system(s) will be used for POST training of full-time, regularly paid employees. An invoice showing the actual cost of the

purchased equipment (satellite antenna and interactive computer) would be required as part of the documentation.

The actual reimbursement rates for satellite antenna and interactive computer hardware systems would need to be set in separate Commission action. Depending on its assessment of available funds, the Commission may reimburse for all or part of satellite antenna and IVD acquisitions. A report presenting analysis of funding issues and recommended rates is included on this meeting agenda under a separate tab.

The required Notice of Public Hearing, proposed regulation language, and Statement of Reasons are included in Attachment A.

RECOMMENDATION

Subject to the results of the public hearing, it is recommended that the Commission adopt Regulations 1020 and 1021 and amend Regulation 1015 as proposed to be effective upon approval by the Office of Administrative Law (OAL).

written comments at the public hearing, all persons whose comments were received by POST during the public comment period, and all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date on which the revised text is made available.

TEXT OF PROPOSAL

Copies of the Statement of Reasons and exact language of the proposed action may be obtained at the hearing, or prior to the hearing, upon written request to the contact person at the above address. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commission's normal business hours (8 a.m. to 5 p.m.).

ESTIMATE OF ECONOMIC IMPACT

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Small Business Impact: None

Declaration on Small Business Impact: The Commission on Peace Officers Standards and Training, in the development of the proposed regulation, has assessed the potential for adverse economic impact on small businesses in California and has found that the proposed amendment of the California Code of Regulations will have no effect. This finding was based on the determination that the proposed amendment to the California Code of Regulations in no way applies to small businesses.

Costs Impact on Private Persons or Entities: None

Housing Costs: None

CONSIDERATION OF ALTERNATIVES

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected

private persons than the proposed action. .

CONTACT PERSON

Inquires concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Anna Del Porto, Associate Governmental Program Analyst, 1601 Alhambra Blvd., Sacramento, CA or by telephone at (916) 739-5400.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

PROPOSED LANGUAGE FOR REGULATION

1020. **Reimbursement for Purchase of Satellite Antenna**

(a) The Commission will reimburse any eligible agency, Section 13523 Penal Code, for the purchase of a steerable C/Ku Band Television Receive Only Satellite Ground Terminal (herein referred to as a satellite antenna) or for the upgrade of an existing antenna to make that antenna a steerable C/Ku band type.

(b) **Documentation Required for Reimbursement**

In order to receive reimbursement, an eligible agency must submit the following documentation to POST:

- (1) For satellite antenna purchases, a purchase invoice(s) reflecting the date, and the total cost of the satellite antenna purchase.
- (2) For an upgrade of an existing antenna, a purchase invoice(s) reflecting the date, and the total cost of the antenna and equipment to upgrade the antenna to a steerable C/Ku band type.
- (3) A letter signed by the agency head, or authorized agency representative, attesting that the jurisdiction has paid the purchase amount on the submitted invoice(s), has installed the satellite antenna or upgraded antenna at an agency facility, and will use the satellite antenna for POST satellite training of full-time, regularly paid employees of the eligible agency. The letter must also include a statement that the satellite antenna or upgrade is a steerable C/Ku Band Television Receive Only Satellite Ground Terminal.

The letter must also include, for multiple reimbursement requests made under the provisions stated in subparagraph (d) (2) (A), a description of the locations where the antennas are installed, an attestation that the locations are regularly used for in-service training, and the antennas are dedicated to the delivery of training programs.

(c) **Reimbursement Restrictions**

- (1) Costs associated with installing or maintaining a satellite antenna system/upgrade are not reimbursable.
- (2) Reimbursement for the purchase of a satellite

antenna or the upgrade of an existing antenna is limited to one antenna or one upgrade, with the following exception:

(A) Participating agencies that have multiple locations where agency personnel regularly convene for in-service training, may apply and be reimbursed for one satellite antenna or one upgrade for each location.

(3) Invoices must indicate the place of purchase and may have a date of purchase prior to the effective date of this regulation.

(d) Reimbursement Rates

(1) The rates of reimbursement shall be determined by the Commission. These rates may not cover actual costs.

(2) Notwithstanding the provisions of these regulations, reimbursement will not be paid unless the Commission has concluded that sufficient funds are available for that purpose.

(e) Purchase Not Required

Nothing in this section shall be construed to require eligible agencies to purchase and claim reimbursement for a satellite antenna.

Authority cited: Sections 13503, 13506 and 13520, Penal Code.
Reference: Section 13523, Penal Code.

Commission on Peace Officer Standards and Training

**REIMBURSEMENT OF SATELLITE ANTENNAS
AND INTERACTIVE VIDEODISC DELIVERY SYSTEMS**

STATEMENT OF REASONS

Since 1988, POST has experimented with presenting training by satellite broadcast. This training delivery method has great potential for significantly reducing travel costs associated with the training of California law enforcement agency personnel. Realization of cost savings, however, has been limited by the fact that few law enforcement agencies own a Steerable C/Ku Band Television Receive Only Satellite Ground Terminal needed to receive the satellite broadcasts. POST has also developed IVD courseware that is suitable for presentation of training right at the agency site, making it more convenient and cost effective than the traditional way of presenting this training. But like satellite antennas, IVD systems have been installed in just a few agencies and savings through this kind of training delivery system have been limited.

Currently Regulation 1015 limits reimbursement to training costs associated with an eligible agency employee's attendance at a POST-certified course. The Commission is proposing to expand the reimbursement program to allow reimbursement for satellite antennas and/or interactive videodisc delivery (IVD) systems purchases. The purpose of proposing Regulations 1020 and 1021, is to encourage eligible agencies to purchase their own satellite antenna systems and IVD systems, in an effort to reduce the costs of travel and time involved in training employees via traditional, off-site classroom methods.

Regulations 1020 and 1021 require that systems be installed at an agency facility, require that systems be used for the training of full-time regularly paid employees, and requires agencies to dedicate the systems to the delivery of training. These requirements are being proposed as a condition of reimbursement to ensure that these regulations carry out the intent Penal Code Section 13523, which states that State aid shall only be provided for training expenses of full-time regularly paid employees, from cities, counties, or districts.

The following provides the justifications for proposed amendments to Regulation 1015:

Amendment to 1015(b) is to clarify that this section does not apply to reimbursement for satellite antennas or IVD systems.

Amendment to 1015(c) is to clarify that to request reimbursement for purchases of satellite antennas and/or IVD systems, the requirements set out in Regulations 1020 and/or 1021 must be followed.

The elements of proposed Regulation 1020 and corresponding justifications are as follows:

The Commission will reimburse any eligible agency, Section 13523 Penal Code, for the purchase of a steerable C/Ku Band Television Receive Only Satellite Ground Terminal (herein referred to as a satellite antenna) or for the upgrade of an existing antenna to make that antenna a steerable C/Ku band type.

Through POST's recent experimentation with satellite broadcasts of training, we have learned that this training delivery method has great potential for significantly reducing costs typically associated with traditional classroom instruction. Realization of cost savings, however, has been limited by the fact that few agencies own antennas that are capable of receiving satellite broadcasts. The Commission wishes to encourage agencies to purchase a Steerable C/Ku Band type antenna or upgrade their existing antenna to a Steerable C/Ku Band type, by approving the satellite antenna reimbursement program.

It is proposed that reimbursement be limited to the purchase of, or upgrade to, Steerable C/Ku Band type antennas because POST does not have a permanently leased transponder, and must compete for, and rent, transponder time on a "space available" basis. Antennas capable of being steered (aimed) at either C or Ku band satellites serve to double the number of channels agencies have access to for receiving POST broadcasts. Furthermore, use of C/Ku band satellite antennas by agencies double the number of transponders POST has access to for broadcast purposes. Since POST must compete for transponder time, the ability to utilize both C or Ku band transponders greatly increases the likelihood of POST obtaining broadcast channels in time slots best suited to the needs of the California law enforcement community.

Finally, in consideration of the fact that some eligible agencies already own antennas, reimbursement will be permitted to enable agencies to upgrade an existing antenna to the steerable C/Ku Band type. This provision will allow agencies an additional option for participating in the satellite broadcast program. Furthermore, upgrading an existing antenna may be less expensive for the agencies.

In order to receive reimbursement, an eligible agency must submit the following documentation to POST:

(1) For satellite antenna purchases, a purchase invoice(s) reflecting the date, and the total cost of the satellite antenna purchase.

This provision is to ensure that the eligible agency has incurred the actual costs being claimed for reimbursement. The date on the invoice is required as a means of reference, and for auditing purposes.

(2) For an upgrade of an existing antenna, a purchase invoice(s) reflecting the date, and the total cost of the antenna and equipment to upgrade the antenna to a steerable C/Ku band type.

This provision is to ensure that the eligible agency has incurred the actual costs of a non-C/Ku band type antenna and the actual costs of equipment to upgrade the antenna to a C/Ku band type as claimed for reimbursement. The date on the invoice is required as a means of reference, and for auditing purposes.

In consideration of the fact that some eligible agencies already own satellite antenna systems, reimbursement will be permitted to enable agencies to upgrade an existing antenna to steerable C/Ku band type. This provision will allow agencies an additional option for participating in the satellite broadcast program. Furthermore, upgrading an existing antenna system may be less expensive for the agencies.

(3) A letter signed by the agency head, or authorized agency representative, attesting that the jurisdiction has paid the purchase amount on the submitted invoice(s), has installed the satellite antenna or upgraded antenna at an agency facility, and will use the satellite antenna for POST satellite training of full-time, regularly paid employees of the eligible agency. The letter must also include a statement that the satellite antenna or upgrade is a steerable C/Ku Band Television Receive Only Satellite Ground Terminal.

This provision is to ensure that the claim for reimbursement is being made with the authorization of the agency head, or representative authorized by the agency head, and that the jurisdiction has, in fact, incurred and paid for the item(s) claimed.

Language stating that the satellite antenna/upgrade must be installed at an agency facility is to ensure that the antenna will remain under the control of the eligible agency. The language that the agency will use the antenna for POST satellite training of full-time, regularly paid employees is to ensure compliance with Penal Code Section 13523.

The language requiring a statement that the antenna or upgrade is a steerable C/Ku Band Television Receive Only Satellite Ground Terminal is to ensure that proper equipment has been purchased and installed, equipment that is able to receive POST satellite broadcasts.

The letter must also include, for multiple reimbursement requests made under the provisions stated in subparagraph (d) (2) (A), a description of the locations where the IVD systems are installed, and an attestation that the locations are regularly used for in-service training, and the IVD systems are dedicated to the delivery of training programs.

This language is added to ensure compliance with P.C. 13523 that the Commission shall grant aid only on a basis that is equally proportionate among cities, counties, and districts. This provision allows larger agencies to purchase more than one antenna for reimbursement. The provisions that require an attestation that the locations for the antennas are used for in-service training and are dedicated to the delivery of training programs are to ensure consistency with P.C. 13523 that stipulates reimbursement is only for training expenses.

Costs associated with installing or maintaining a satellite antenna system/upgrade are not reimbursable.

Costs for site preparation, installation, and maintenance are highly variable depending on the type and complexity of the installation. These costs are excluded from reimbursement to enable POST to control the cost of the project.

Reimbursement for the purchase of a satellite antenna or the upgrade is limited to one antenna/upgrade with the following exception: Participating agencies that have multiple locations where agency personnel regularly convene for in-service training, may apply and be reimbursed for on satellite antenna or one upgrade for each location.

This language is added to ensure compliance with P.C. 13523 that the Commission shall grant aid only on a basis that is equally proportionate among cities, counties, and districts. This provision allows larger agencies to purchase more than one antenna for reimbursement.

Invoices must indicate the place of purchase and may have a date of purchase prior to the effective date of this regulation.

The place of purchase is needed for reference and audit purposes. The language that states invoices may be dated prior to this regulation is to encourage agencies to upgrade antennas purchased prior to the date of the regulation and, therefore, save the cost of purchasing another antenna that is the steerable C/Ku band type. In fairness, it also seemed reasonable to allow reimbursement for the steerable C/Ku band type antenna already purchased prior to the effective date of the regulation, and believed to be very few.

The rates of reimbursement shall be determined by the Commission. These rates may not cover actual costs. Notwithstanding the provisions of these regulations, reimbursement will not be paid unless the Commission has concluded that sufficient funds are available for that purpose.

This language is to clarify that total costs may not be covered by these reimbursement provisions, and to clarify that the reimbursement program for satellite antennas is in force only if sufficient funds are available.

Nothing in this section shall be construed to require eligible agencies to purchase and claim reimbursement for a satellite antenna.

This language clarifies that the purchase of a satellite antenna or the upgrading of a antenna and participation in the satellite antenna system reimbursement program is not mandatory.

The elements of proposed regulation 1021 and corresponding justifications are as follows:

The Commission will reimburse any eligible agency, Section 13523 Penal Code, for the purchase of an interactive videodisc delivery system (herein referred to as an IVD system), or for the upgrade of an existing computer to make it an IVD system, both of which must be capable of running POST IVD courseware.

Through POST's development of interactive video disc courseware training programs, we have learned that this advanced technology training method has the potential for significantly reducing costs typically associated with traditional classroom instruction: 1) reduction in training times needed to cover the material, 2) increased retention of the material to be learned, and 3) reduction of time and travel costs to attend and off-site training institution. Realization of cost savings, however, has been limited by the fact that few agencies have the specialized computer hardware necessary to deliver this type of training courseware. The Commission wishes to encourage agencies to purchase an IVD system or upgrade an existing personal computer, by approving the IVD systems reimbursement program.

It is proposed that reimbursement be limited to the purchase of, or upgrade to, an interactive computer hardware system because of the specialized computer equipment necessary to deliver the interactive courseware. POST has developed and released to the field two interactive training courses. A third course is scheduled for release in March 1993. Updating of one set of the courseware is planned for late 1993. In order to view these specifically designed sets of interactive courseware, special computer equipment is necessary.

In consideration of the fact that some eligible agencies already own computers, reimbursement will be permitted to allow agencies to upgrade a computer to an IVD system. This will allow an additional option for participation in the IVD reimbursement program. Furthermore, upgrading an existing computer may be less expensive than purchasing a new IVD system.

In order to receive reimbursement, an eligible agency must submit the following documentation to POST:

(1) For IVD system purchases, a purchase invoice(s) reflecting the date, and the total cost of the IVD system purchase.

This provision is to ensure that the eligible agency has incurred the actual costs being claimed for reimbursement. The date on the invoice is required as a means of reference, and for auditing purposes.

(2) For the upgrade of an existing computer to make it an IVD system, a purchase invoice(s) reflecting the date, and the total cost of the computer and the equipment to upgrade.

This provision is to ensure that the eligible agency has incurred the actual cost of a computer and the actual cost of the equipment to upgrade to an IVD system as claimed for reimbursement. The date on the invoice is required as a means of reference, and for auditing purposes.

(3) A letter signed by the agency head, or authorized agency representative, attesting that the jurisdiction has paid the purchase amount on the submitted invoice(s), has installed the IVD system or the upgraded computer/IVD system at an agency facility, and will use the IVD system for POST IVD training of full-time, regularly paid employees of the eligible agency.

This provision is to ensure that the claim for reimbursement is being made with the authorization of the agency head, or representative authorized by the agency head, and that the jurisdiction has, in fact, incurred and paid for the item(s) claimed.

Language stating that the IVD system must be installed at an agency facility is to ensure that the IVD system will remain under the control of the eligible agency. The language that the agency will use the IVD system for POST IVD training of full-time, regularly paid employees is to ensure compliance with Penal Code Section 13523.

The letter must also include, for multiple reimbursement requests made under the provisions stated in subparagraph (d) (2) (A), a description of the locations where the IVD systems are installed, and an attestation that the locations are regularly used for in-service training, and the IVD systems are dedicated to the delivery of training programs.

This language is added to ensure compliance with P.C. 13523 that states the Commission shall grant aid only on a basis that is equally proportionate among cities, counties, and districts. This provision allows larger agencies to purchase more than one IVD system for reimbursement. The provisions that require an attestation that the locations for the IVD systems are used for in-service training and are dedicated to the delivery of training programs are to ensure consistency with P.C. 13523 that stipulates reimbursement is only for training expenses.

Costs associated with installing or maintaining an IVD system/upgrade are not reimbursable.

Costs for site preparation, installation, and maintenance are highly variable depending on the type and complexity of the installation. These costs are excluded from reimbursement to enable POST to control the cost of the project.

Reimbursement for the purchase of an IVD system or the upgrade of an existing computer to make it an IVD system is limited to one IVD system or upgrade with the following exception: Participating agencies that have multiple locations where agency personnel regularly convene for in-service training, may apply and be reimbursed for one IVD system or one computer upgrade to an IVD system for each location.

This language is added to ensure compliance with P.C. 13523 that the Commission shall grant aid only on a basis that is equally proportionate among cities, counties, and districts. This provision allows larger agencies to purchase more than one IVD system for reimbursement.

Invoices must indicate the place of purchase and may have a date of purchase prior to the effective date of this regulation.

The place of purchase is needed for reference and audit purposes. The language that states invoices may be dated prior to this regulation is to encourage agencies to upgrade computers purchased prior to the date of the regulation and, therefore, save the cost of purchasing a total IVD system. In fairness, it also seemed reasonable to allow reimbursement for IVD systems already purchased prior to the effective date of this regulation, and believed to be very few.

The rates of reimbursement shall be determined by the Commission. These rates may not cover actual costs. Notwithstanding the provisions of these regulations, reimbursement will not be paid unless the Commission has concluded that sufficient funds are available for that purpose.

This language is to clarify that total costs may not be covered by these reimbursement provisions, and to clarify that the reimbursement program for IVD systems is in force only if sufficient funds are available.

Nothing in this section shall be construed to require eligible agencies to purchase and claim reimbursement for a satellite antenna.

This language clarifies that the purchase of an IVD system or the upgrading of a computer to make it an IVD system and participation in the IVD system reimbursement program is not mandatory.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

PROPOSED LANGUAGE FOR REGULATION

1015. Reimbursements

(a) (continued)

(b) Requests for Reimbursement.

Each request for reimbursement, except as specified in Regulations 1020 and 1021, must be submitted on a form provided by the Commission and submitted to the training institution at the beginning of a POST-certified training course. No further action is required by the participating jurisdiction to receive reimbursement except for those courses requiring a report to POST as a condition of successful completion, such as Field Management Training and Team Building Workshops. Upon completion of the training, reimbursement will be automatically computed and paid to the jurisdiction.

(c) Requests for Reimbursement for Purchase of a Satellite Antenna and/or IVD System.

The requirements for reimbursement for the purchase of a satellite antenna and/or an interactive videodisc (IVD) system are set out in Regulations 1020 and 1021 respectively.

NOTE: Present (c) through (j) will be renumbered (d) through (k), respectively.

Authority cited: Sections 13503, 13506, and 13510 and 13520, Penal Code.

Reference: Sections 13510, 13511, 13512, 13518, 13520, 13522, 13523, 13524 and 13525, Penal Code; Section 11489, Health and Safety Code.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

November 19, 1992

BULLETIN: 92-34

SUBJECT: PUBLIC HEARING: TO ADOPT AND AMEND REGULATIONS TO
ALLOW REIMBURSEMENT FOR SATELLITE ANTENNAS AND
INTERACTIVE VIDEO DISC DELIVERY SYSTEMS

A public hearing has been scheduled in conjunction with the
January 1993 Commission meeting:

Date: January 21, 1993
Time: 10:00 a.m.
Place: Red Lion Hotel
2050 Gateway Place
San Jose, CA

This hearing is to consider new and amended regulations that would allow the Commission to establish provisions for POST to reimburse eligible agencies for the acquisition of satellite antennas and interactive videodisc (IVD) delivery systems.

During the current fiscal year, POST is experiencing lower training volumes, which may result in sufficient funds for establishing a satellite/IVD capability in departments (while maintaining current reimbursement rates for salary, travel and per diem). Reimbursement for these technology-based training delivery systems will enable agencies to provide needed high quality training programs in a cost-effective manner.

Under the proposed regulations, each agency would be eligible for one of each system authorized for reimbursement. Larger agencies would be conditionally eligible for more than one. Agencies would be required to attest that the system was installed at an agency facility and that the system will be used for POST training of full-time regularly-paid employees. An invoice showing the actual cost of the purchased equipment would be required as part of the documentation. Previously acquired systems which meet specifications would also be eligible for reimbursement. Installation and maintenance costs would be borne by the agency.

The estimated cost of a steerable C/Ku band antenna is \$3000 and a full IVD system is \$6000. Actual costs may be less, if POST is successful in securing a prime vendor and volume prices. If these regulations are adopted as proposed, the Commission will take separate action to set the actual reimbursement rates for the satellite and IVD programs. Depending on its assessment of available funds, the Commission may reimburse for all or part of

satellite antenna and IVD acquisition. A bulletin on specific reimbursement rates would be sent after the January 1993 meeting.

The attached Notice of Public Hearing provides details concerning the proposed regulations and the hearing process. Inquiries may be directed to Anna Del Porto, at 1601 Alhambra Boulevard, Sacramento, CA 95816-7083 or by calling (916) 739-5400. The Commission may adopt changes to the proposed regulations based upon written comments received and public hearing proceedings.

Norman C. Boehm

NORMAN C. BOEHM
Executive Director

Attachment

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Public Hearing: Proposed Regulation Requiring the Review of Audio-Visual Training Materials		Meeting Date October 15, 1992
Bureau Training Program Services	Reviewed By <i>OTL</i> Otto Saltenberger	Researched By Gary Sorg
Executive Director Approval <i>Monahan C. Boehm</i>	Date of Approval 12-17-92	Date of Report December 1, 1992
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission mandate a review by certified course presenters of audio-visual training materials prior to classroom presentation using POST-provided guidelines?

BACKGROUND

At the October 15, 1992 Commission meeting, a public hearing was held for the purpose of considering a regulation that would require POST-certified training presenters to review audio-visual training materials before they are used in the classroom. The regulation received some opposition, mainly centering around part of the proposed regulation which specified the make-up of the review committee. After hearing the opposing arguments, the Commission voted to continue the public hearing at the January 21, 1993 Commission meeting in San Jose. The Commission directed the proposed regulation be subjected to further review.

PROGRESS AND ANALYSIS

In November a meeting was held with the advisory committee and POST staff to re-examine the regulation based on the Commission's direction. As a result of that meeting the following changes have been made to the proposed regulations and guidelines:

- o Reference to the structure of the presenter's review committee is eliminated from the regulation.
- o The review process for materials previously used in courses is required only as those materials are re-used.
- o Reference to how the review should be conducted has been moved to the guidelines.

- o The regulation exempts, from public review, available broadcast material pertinent to current training topics.

The attached guidelines (Attachment "A") and proposed regulations (Attachment "B") reflect those changes.

This latest version of the regulation allows the presenter more flexibility in conducting the review of audio-visual training materials, yet ensures that all materials will be reviewed prior to classroom use. The regulation would only require that existing materials be reviewed as they are considered for re-use and therefore does not require a mass review of all existing materials in the presenter's audio-visual library. It also allows for the use of publicly available broadcast material without review. As an example, late breaking news information pertinent to the topic being taught could be used in the classroom without being subjected to a review.

The addition of Guideline VII to the guideline document places emphasis on both the concerns of law enforcement management and subject experts for all topics, not just high liability issues alone.

At the December Basic Course Consortium, the attached revised guidelines and proposed regulations were studied by numerous academy directors in committee and agreement was reached that all previous objections by the academy directors had been addressed. As a result the California Academy Director's Association have written a letter of support for the proposed regulations and guidelines in their current form (Attachments "A" and "B").

The complete report which was before the Commission on October 15 is attached (Attachment C).

RECOMMENDATION

It is recommended that the Commission adopt the regulation addition as shown in Attachment "A" and the guidelines as in Attachment "B".

ATTACHMENT "A"

GUIDELINES FOR REVIEWING AUDIO-VISUAL TRAINING MATERIALS

The use of inappropriate or inaccurate audio-visual training materials in law enforcement training can result in civil litigation, poor tactical decisions, or may be offensive to students based on negative stereotyping. The purpose of these guidelines is to give direction and assistance to presenters and instructors.

GUIDELINE I

AUDIO-VISUAL TRAINING MATERIALS SHOULD GUIDE THE STUDENT TO RESPOND APPROPRIATELY TO SIMILAR SITUATIONS ON THE JOB.

1. Audio-visual training materials should eliminate controversy and confusion to ensure that students do not under or over-react to similar situations on the job. To this end the instructor should identify, clarify, and discuss any controversial part within the training material and any appropriate civil liability issues.

Note: This does not preclude the use of materials depicting incorrect or inappropriate behavior in order to illustrate a training point. However, these examples should be followed by materials showing correct behavior and/or an explanation by the instructor.

GUIDELINE II

AUDIO-VISUAL TRAINING MATERIALS SHOULD BE COMPATIBLE WITH EXISTING LAW, LAW ENFORCEMENT ETHICS, AND PROFESSIONAL TRAINING PHILOSOPHIES.

GUIDELINE III

AUDIO-VISUAL TRAINING MATERIALS SHOULD BE FREE OF BIAS OR STEREOTYPING ON THE BASIS OF RACE, GENDER, NATIONAL ORIGIN, RELIGIOUS BELIEF, POLITICAL AFFILIATION, DISABILITY, OR SEXUAL ORIENTATION.

1. It may be necessary to depict stereotypes in order to illustrate a point, such as in courses dealing with:
 - a. sexual harassment,
 - b. hate crimes,
 - c. gangs, or
 - d. other "group specific" training.

GUIDELINE IV

AUDIO-VISUAL TRAINING MATERIALS SHOULD BE FREE OF OFFENSIVE LANGUAGE OR INAPPROPRIATE HUMOR.

1. Offensive language may be necessary to illustrate a point or create a realistic training experience.
2. Humor that is demeaning to any group or individual should be avoided.

GUIDELINE V

AUDIO-VISUAL TRAINING MATERIALS SHOULD BE RELEVANT TO THE SUBJECT MATTER BEING TAUGHT.

1. Audio-visual training materials involving other issues may be interesting, but tend to dilute the intended training and use up valuable class time.

Note: The use of brief audio-visuals unrelated to the subject matter which provide a needed break in instruction may be used if they meet the other criteria within these guidelines.

2. Instructors should be familiar with the audio-visual training material prior to classroom use.

GUIDELINE VI

THE CONTENT OF AUDIO-VISUAL TRAINING MATERIAL SHOULD BE AT THE APPROPRIATE LEVEL FOR THE INTENDED AUDIENCE.

1. Consideration should be given to the experience level and classification of the audience, such as:
 - a. entry level vs. advanced personnel
 - b. sworn vs. non-sworn personnel
2. The composition of the audience should be considered when using audio-visual training materials that contain confidential or sensitive information.

GUIDELINE VII

THE REVIEW OF AUDIO-VISUAL TRAINING MATERIALS SHOULD REFLECT THE PERSPECTIVE OF BOTH LAW ENFORCEMENT MANAGEMENT AND SUBJECT MATTER EXPERTS. A WRITTEN RECORD SHOULD BE MAINTAINED TO DOCUMENT REVIEWS.

ATTACHMENT "B"

PROPOSED REGULATION

1052. Requirements for Course Certification

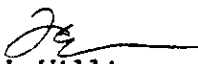
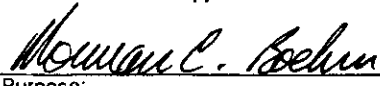
(a) - (f) continued

(g) The presenter of a POST-certified course shall review all audio-visual training materials prior to use in the classroom. (For reference see "POST Guidelines for Reviewing Audio-Visual Training Materials"). The review of audio-visual training material shall emphasize the avoidance of materials which depict situations, tactics, and procedures that could lead a trainee to take inappropriate actions on the job. The review shall also include careful examination of depictions of law enforcement work to assure consistency with existing law and accepted practices.

- (1) For the purposes of this regulation, "audio-visual training materials" are defined as: audio tapes, videotapes, films, slides, and other similar media. They do not include classroom hand-out material.
- (2) Audio-visual materials cataloged on the "POST Approved Media List" maintained by the Commission on Peace Officer Standards and Training need not be subjected to the review process described in this section.
- (3) This regulation shall be effective July 1, 1993 and shall apply to all audio-visual training materials being considered for use in POST-certified courses commencing after that date. The regulation shall apply to materials previously used by the course presenters only as they are considered for re-use in POST-certified courses.
- (4) Nothing in this regulation is intended to prohibit POST-certified presenters from using publicly available broadcast material pertinent to current training topics from being utilized in the classroom without review.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Recognition of Non-accredited, State-Approved Units, Courses and Degrees Toward Award of Professional Certificates		Meeting Date January 21, 1993
Bureau Administrative Services Bureau	Reviewed By  Frederick Williams	Researched By Frederick Williams
Executive Director Approval 	Date of Approval 11-23-92	Date of Report
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission amend regulations to recognize units, courses and degrees granted by non-accredited, but state-approved colleges and universities with programs exclusively in criminal justice, as provided for by Senate Bill 1126, which becomes effective January 1, 1993?

BACKGROUND

August Vollmer University, a non-accredited private degree-granting university, specializing exclusively in criminal justice education, requested the Commission to change its regulation that now allow for POST recognition only of units and degrees from accredited institutions. POST Intermediate and Advanced Certificates are now awarded based in part on educational units or degrees. Supervisory, Management, and Executive Certificates all require the applicant to have completed 60 college units. If August Vollmer University's request had been granted, the university's programs would satisfy POST's educational requirements for the award of certificates.

This request was before the Commission at its April, July, and October 1991 meetings. At the October meeting, the Commission decided that there would be no change in the current regulations.

Subsequently, legislation was passed to require POST recognition of courses or degrees provided by a non-accredited but state-approved colleges and universities that offer programs exclusively in criminal justice. This provision expires January 1, 1998. This legislation was contained in Senate Bill 1126, which amends Penal Code Section 13510.1, and is included in this report as Attachment A.

On October 15, 1992, the Commission approved the scheduling of a public hearing for the January 21, 1993 Commission meeting to consider adoption of a proposed regulation change.

ANALYSIS

there were several issues which concerned the Commission during its deliberations of the request by representatives of August Vollmer University to recognize its credits and degrees for purposes of the award of POST certificates. The most salient of these issues were as follows:

The Private Postsecondary and Vocational Education Reform Act of 1989 articulated legislative intentions to improve the State's regulation of non-accredited colleges and universities. The regulatory system, reportedly, was ineffective between the years 1958 and 1989. There was created a new regulatory body which was currently in the midst of developing its new operating rules and regulations. While these developments were thought to hold promise, it was nevertheless felt that it would be premature to anticipate the system will evolve consistent with the intent of the legislation.

While August Vollmer University might well present high quality educational programs, it did not appear feasible to provide recognition without also recognizing for credit the programs of all other non-accredited but state-approved institutions. August Vollmer's specialization in criminal justice was not viewed as an acceptable basis for narrowing recognition. The Commission accepts degrees and units from all fields when the college or university is accredited.

Senate Bill 1126, which becomes effective January 1, 1993, provides for POST recognition of courses and degrees granted by non-accredited, but state-approved colleges and universities that offer programs exclusively in criminal justice. This bill, which has a sunset clause, will expire January 1, 1998.

The law established by this bill is narrowly drawn. August Vollmer University is the only institution known to be affected. No basis is established for other non-accredited colleges and universities to be accepted.

The law requires the Commission to act. The proposed regulation amendments would enable the Commission's regulations to conform with the law. Proposed changes are included with this report as Attachment B.

RECOMMENDATION

It is recommended that the Commission adopt the regulation amendment as described.

1 (D) A chief probation officer.
 2 (E) A manager or administrator of a county local
 3 detention facility.
 4 (F) An administrator of a local community-based
 5 correctional program.
 6 (G) Two public members.
 7 (b) Of the members first appointed by the Governor,
 8 two shall be appointed for a term of two years, three for
 9 a term of three years, and three for a term of four years.
 10 The length of the original term to be served by each
 11 member first appointed shall be determined by lot. Their
 12 successors shall serve for a term of three years and until
 13 appointment and qualification of their successors, each
 14 term to commence on the expiration date of the term of
 15 the predecessor.
 16 (c) The board shall select a vice chairperson from
 17 among its members. Seven members of the board shall
 18 constitute a quorum.
 19 (d) When the Board of Corrections is hearing charges
 20 against any member, the individual concerned shall not
 21 sit as a member of the board for the period of hearing of
 22 charges and the determination of recommendations to
 23 the Governor.
 24 (e) If any appointed member is not in attendance for
 25 three consecutive meetings the board shall recommend
 26 to the Governor that the member be removed and the
 27 Governor shall make a new appointment, with the advice
 28 and consent of the Senate, for the remainder of the term.
 29 SEC. 5.
 30 SEC. 4. Section 13510.1 of the Penal Code is amended
 31 to read:
 32 13510.1. (a) The commission shall establish a
 33 certification program for peace officers specified in
 34 Sections 13510 and 13522 and for the California Highway
 35 Patrol.
 36 (b) Basic, intermediate, advanced, supervisory,
 37 management, and executive certificates shall be
 38 established for the purpose of fostering
 39 professionalization, education, and experience necessary
 40 to adequately accomplish the general police service

1 duties performed by peace officer members of city police
 2 departments, county sheriffs' departments, districts,
 3 university and state university and college departments,
 4 or by the California Highway Patrol.
 5 (c) (1) Certificates shall be awarded on the basis of a
 6 combination of training, education, experience, and
 7 other prerequisites, as determined by the commission.
 8 (2) In determining whether an applicant for
 9 certification has the requisite education, the commission
 10 shall recognize as acceptable college education only the
 11 following:
 12 (A) Education provided by a community college,
 13 college, or university which has been accredited by the
 14 department of education of the state in which the
 15 community college, college, or university is located or by
 16 a recognized national or regional accrediting body.
 17 (B) Until January 1, 1998, educational courses or
 18 degrees provided by a nonaccredited but state-approved
 19 college that offers programs exclusively in criminal
 20 justice.
 21 (d) Persons who are determined by the commission to
 22 be eligible peace officers may make application for the
 23 certificates, provided they are employed by an agency
 24 which participates in the Peace Officer Standards and
 25 Training (POST) program.
 26 (e) Certificates remain the property of the
 27 commission and the commission shall have the power to
 28 cancel any certificate.
 29 (f) The commission shall cancel certificates issued to
 30 persons who have been convicted of, or entered a plea of
 31 guilty or nolo contendere to, a crime classified by statute
 32 or the Constitution as a felony.
 33 SEC. 6.
 34 SEC. 5. Article 5 (commencing with Section 13550)
 35 is added to Chapter 1 of Title 4 of Part 4 of the Penal
 36 Code, to read:

Commission on Peace Officer Standards and Training

NOTICE OF PUBLIC HEARING

Acceptance of Non-Accredited Courses and Degrees

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Section 13510.1 of the Penal Code and in order to interpret, implement and make specific Section 13510.1 of the Penal Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations. A public hearing to adopt the proposed amendments will be held before the Commission on:

Date: January 21, 1992
Time: 10:00 a.m.
Place: Red Lion Hotel, San Jose

Notice is also hereby given that any interested person may present oral statements or arguments, relevant to the action proposed, during the public hearing.

INFORMATIVE DIGEST

Senate Bill 1126, which becomes effective January 1, 1993, amends Penal Code Section 13510.1 and directs POST to recognize courses and degrees provided by non-accredited, State-approved colleges that offer programs exclusively in criminal justice. The only known educational institution to be affected is August Vollmer University. The law has a sunset clause which expires on January 1, 1998.

In order for the Commission to accommodate this legislation, we are proposing amendment of Regulation 1001 (a), and Commission Procedure F-1 to reflect recognition of the non-accredited, state-approved courses and degrees toward the award of certificates. The amendments do not impose any additional requirements, but only serve to clarify acceptable college education for certificate awards in the POST Certificate Program.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed actions. All written comments must be received at POST no later than 4:30 p.m. on January 4, 1993. Written comments should be directed to Norman C. Boehm, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Blvd., Sacramento, CA 95816-7083.

ADOPTION OF PROPOSED REGULATIONS

After the hearing, and consideration of public comments, the Commission may adopt the proposals substantially as set forth

without further notice. If the proposed text is modified prior to adoption and the change is related, but not solely grammatical or nonsubstantial in nature, the full text of the resulting regulation will be made available at least 15 days before the date of adoption to all persons who testified or submitted written comments at the public hearing, all persons whose comments were received by POST during the public comment period, and all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date on which the revised text is made available.

TEXT OF PROPOSAL

Copies of the Statement of Reasons and exact language of the proposed action may be obtained at the hearing, or prior to the hearing, upon written request to the contact person at the above address. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commission's normal business hours (8 a.m. to 5 p.m.).

ESTIMATE OF ECONOMIC IMPACT

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Small Business Impact: None

Declaration on Small Business Impact: The Commission on Peace Officers Standards and Training, in the development of the proposed regulation, has assessed the potential for adverse economic impact on small businesses in California and has found that the proposed amendment of the California Code of Regulations will have no effect. This finding was based on the determination that the proposed amendment to the California Code of Regulations in no way applies to small businesses.

Costs Impact on Private Persons or Entities: None

Housing Costs: None

CONSIDERATION OF ALTERNATIVES

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquires concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Anna Del Porto, Associate Governmental Program Analyst, 1601 Alhambra Blvd., Sacramento, CA or by telephone at (916) 739-5400.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

ACCEPTANCE OF NON-ACCREDITED COURSES AND DEGREES

STATEMENT OF REASONS

Senate Bill 1126 which becomes effective January 1, 1993, amends Penal Code 13510.1. The amendment adds language directing the Commission to recognize as acceptable college education, courses and degrees provided by a non-accredited, state-approved colleges that offer programs exclusively in criminal justice. The legislation has a sunset clause of January 1, 1998.

It is proposed that Regulation 1001 (a) be amended to change the definition of accredited college by replacing it with the definition of acceptable college education. The definition of acceptable college education would include the descriptions of accredited institutions and add the description of a non-accredited but state-approved colleges that offer programs exclusively in criminal justice, thus, carrying out the directions of the legislation.

It is proposed to amend subparagraph F-1-4. b. to add language that is in agreement with Penal Code Section 13510.1 and that clarifies acceptable units/credits for the award of a certificate.

It is proposed to amend subparagraph F-1-4. c. to delete all references to accredited colleges and college(s) and to replace those words with the term of "educational institution(s)" which is a broader term that encompasses the accredited colleges and universities as well as the non-accredited state-approved colleges.

It is proposed to amend subparagraphs F-1-8. a., F-1-9. a., and F-1-10. a. to delete all reference to "college" or "accredited college" semester units. Acceptable semester units are defined by adding the proposed language in subparagraph F-1-4. b.

All proposed amendments do not impose any additional requirements, but only serve to clarify acceptable college education for certificate awards in the POST Certificate Program.

POST ADMINISTRATIVE MANUAL

Regulations

Proposed Language

1001. Definitions

(a) ~~"Accredited College" is a community college, college or university accereditd as such by:~~ Acceptable College Education is:

- (1) Courses or degrees provided by a community college, college, or university which has been accredited by the department of education or the state university of the state in which the community college, college or university is located, or
- (2) Courses or degress provided by a community college, college, or university accredited by A a recognized national or regional accrediting body, or
- (3) ~~The state university in the state in which the community college, college or university is located.~~ Until January 1, 1998, educational courses or degrees provided by a non-accredited, state-approved college that offers programs exclusively in criminal justice.

Authority cited: Section 13506, Penal Code.

Reference: Sections 13503, 13507, 13510, 13510.1 and 13510.5, Penal Code.

POST ADMINISTRATIVE MANUAL

Commission Procedure F-1

Proposed Language

1-1. through 1-4. a. (continued)

- b. Education Points: One semester unit shall equal one education point and one quarter unit shall equal two-thirds of a point. Such units of credit shall have been awarded by an accredited community college, college, or university, or until January 1, 1998, by a non-accredited, state-approved college that offers programs exclusively in criminal justice (refer to regulation 1001 (a) for definition of acceptable college education).
- c. All education and training must be supported by copies of transcripts, diplomas and other verifying documents attached to the application for POST certificate. Units of credit transferred from one accredited college educational institution to another must be documented by transcripts from both colleges educational institutions. When college credit is awarded, it shall be counted for either training or education points, whichever is to the advantage of the applicant.
- d. through g. (continued)

Professional Certificates

1-5. through 1-8. a. (continued)

- b. Have no less than 60 college semester units awarded by an accredited college (see subparagraph F-1-4. b.); and

1-8. c. through 1-9. a. (continued)

- b. Have no less than 60 college semester units awarded by an accredited college (see subparagraph F-1-4. b.); and

1-9. c. through 1-10 a. (continued)

- b. Have no less than 60 college semester units awarded by an accredited college (see subparagraph F-1-4. b.); and

1-10. c. through 1-10 d. and last paragraph (continued)

Authority cited: Sections 13506, and 13510.1, Penal Code.
Reference: Sections 13506 and 13510.1, Penal Code.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

November 19, 1992

BULLETIN: 92-33

SUBJECT: PUBLIC HEARING: TO AMEND REGULATIONS TO RECOGNIZE NON-ACCREDITED, STATE-APPROVED UNITS AND DEGREES TOWARD AWARDS OF PROFESSIONAL CERTIFICATES

A public hearing has been scheduled in conjunction with the January 1993 Commission meeting:

Date: January 21, 1993
Time: 10:00 a.m.
Place: Red Lion Hotel, San Jose

The hearing is to consider amendments to Regulation 1001 and Commission Procedure F-1 to comply with Senate Bill 1126. This legislation amends Penal Code Section 13510.1 to require the Commission to recognize, for the award of professional certificates, units and degrees awarded by non-accredited, State-approved colleges that offer programs exclusively in criminal justice. The law established by Senate Bill 1126 is narrowly drawn. Only one educational institution is known to qualify under the new provisions. The legislation also requires an expiration of this provision on January 1, 1998.

Commission regulations currently allow recognition of units and degrees from accredited institutions only. As required by SB 1126, the proposed changes will amend language to allow recognition of non-accredited, State-approved colleges.

The Commission may adopt other changes based upon the public hearing proceedings and written comments received. The Commission invites input on this matter.

The attached Notice of Public Hearing, required by the Administrative Procedures Act, provides details concerning the proposed regulation changes and provides information regarding the hearing process. Inquiries concerning the proposed action may be directed to Anna Del Porto, Associate Governmental Program Analyst, 1601 Alhambra Blvd., Sacramento, CA 95816-7083 or by telephone at (916) 739-5400.

NORMAN C. BOEHM
Executive Director

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Establishment of Reimbursement Rates for Satellite/Interactive Computer Program		Meeting Date January 21, 1993
Bureau Training Program Svs.	Reviewed By <i>Otto Saltenberger</i>	Researched By Ken Whitman <i>[Signature]</i>
Executive Director Approval <i>Houman C. Boehm</i>	Date of Approval 1/6/92	Date of Report December 7, 1992
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission establish reimbursement rates for eligible law enforcement agencies for the acquisition of satellite antenna systems and interactive computer hardware?

BACKGROUND

The Commission has directed that a public hearing be held on January 21, 1993 to adopt regulations to reimburse eligible agencies for the acquisition of a C/Ku band satellite antenna system, and for the acquisition of an interactive videodisc (IVD) hardware delivery system. If the Commission adopts the regulation changes following the public hearing, each agency in the POST reimbursement program would become eligible for reimbursement for the costs of acquisition of both satellite and interactive-videodisc-hardware systems.

Under the proposed regulations the costs associated with a site survey, installation and maintenance of hardware, necessary cables, and television monitor/video cassette recorders for the satellite antenna system are to be borne by the individual agencies. Costs of installation or maintenance of the interactive videodisc hardware systems will also be borne by the agencies. POST courseware will be provided to participating agencies free of charge as it is developed and released for use.

POST has provided recommended specifications for C/Ku band satellite antenna systems to over 150 agencies within the past year. Many agencies have already installed satellite antenna systems for receiving POST-certified telecourses and video training tape programs.

POST has also provided over 200 agencies with minimum specifications and vendor packages for interactive computer hardware systems. Some agencies have already installed systems or are in the process of budgeting funds to acquire IVD systems.

ANALYSIS

The Commission, based upon its assessment of funding availability, and pursuant to proposed, amended Regulations 1015, 1020, and 1021 must determine the rate of reimbursement for both the satellite antenna and computer-interactive-hardware programs. These rates should be established for obtaining both satellite antenna and computer-interactive-hardware systems.

INTERACTIVE VIDEODISC (IVD) HARDWARE

POST staff has identified four primary vendors of interactive-videodisc-hardware systems that meet POST specifications and are capable of running POST software now and in the future. They have supplied POST with a variety of systems in several price ranges. Full specifications on the computer-interactive hardware have been provided to POST agencies and presenters on a request basis.

Fiscal impact costs for the IVD program are based upon the 536 agencies that are currently participating in the reimbursement program and 100 additional systems that may be needed to provide larger agencies with systems to serve their multiple training sites.

The purchase of IVD hardware systems may best be handled by providing participating agencies with the prepared specifications for the recommended hardware, and then allowing each agency to contact vendors who have agreed to furnish specified equipment for the project. This would not prevent any agency from seeking bids from a local vendor for this equipment, as long as the acquired equipment met POST specifications.

Costs associated with upgrading an existing personal computer are less than purchasing a fully dedicated IVD hardware system. The graphics overlay boards, supporting software systems and laser disc players can be used with any IBM compatible computer system. The amount could be lower to the extent that agencies upgrade existing computers rather than acquire completely new equipment.

One vendor has been identified that will provide an IVD system consisting of a 386/40 DX microprocessor system and SVGA color monitor at a price of \$1700. Adding the graphics overlay system and a videodisc player adds an additional cost of \$2900 to the total system. Sales tax and shipping add an additional cost of \$373 for a total cost of \$4973 for an IVD system that will allow running of all current and future POST courseware. The fiscal impact, based on a figure of \$4973 would be \$3.2 million.

SATELLITE ANTENNA SYSTEMS

POST staff and General Services Telecommunications Division staff have prepared specifications for a steerable C/Ku band satellite antenna hardware system. The specifications have been provided to POST agencies and presenters on a request basis. Many agencies and presenters that have already installed satellite antenna systems during the past year have used the existing POST specifications and installed steerable C/Ku band systems.

Fiscal impact costs for the satellite reimbursement program are predicated upon the 536 agencies that are currently participating in the reimbursement program and 100 additional systems that would be used to support multiple training sites in large agencies.

The purchase of satellite antenna systems may best be handled by providing participating agencies with the prepared specifications for the recommended hardware, and then allowing each agency to contact vendors who have agreed to furnish specified equipment for this project. This would not prevent any agency from seeking bids from a local vendor for this equipment, as long as the equipment acquired met specifications provided by POST.

There are three types of installation available depending upon the results of the initial-site survey to determine the optimum location of the antenna system. They are ground, pole, and roof mounting. Each requires specific hardware that ranges in cost from \$90 for a standard ground pole to \$295 for a non-penetrating roof mount. Approximately 70% of all installations done in the state are ground mounts. Average installation charges, depending on site survey and location, are approximately \$800.

One vendor has established a rate of \$1848 for the equipment. Adding the sales tax of \$133.98, shipping charges of \$100 and the potential cost of mounting hardware at \$295 brings the system total to \$2376.98. The fiscal impact, based on a figure of \$2377 per system, would be \$1.5 million.

RECOMMENDATION

Based on the foregoing, it is recommended that the Commission adopt a reimbursement rate not to exceed \$2377 for acquisition of satellite antenna systems. This rate would reflect the actual cost of the equipment, any special mounting hardware, any applicable sales taxes, and shipping the antenna system to the agency site.

It is recommended that the Commission adopt a reimbursement rate not to exceed \$4973 for the acquisition of an interactive-videodisc-hardware system. This rate would reflect the actual cost of equipment, applicable sales taxes, and shipping the IVD system to the agency site.

The reimbursement rates established by the Commission should be reviewed annually to reflect any changes in hardware pricing.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Approval to Contract for Satellite Services With Basic Course Presenters		Meeting Date January 21, 1993
Bureau Training Program Svs.	Reviewed By <i>[Signature]</i> Otto Saltenberger	Researched By Ken Whitman <i>[Signature]</i>
Executive Director Approval <i>[Signature]</i> Norman C. Bohner	Date of Approval 1-5-93	Date of Report December 23, 1993
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission contract with community college presenters of the Basic Course to provide satellite-receive-antenna systems in order to bring POST-certified training to trainees?

BACKGROUND

At this meeting, the Commission will hold a public hearing into amending and adding POST regulations allowing eligible POST agencies to be reimbursed for satellite antenna systems. Most agencies participating in the POST program, including those agencies that operate academies, will be eligible for reimbursement of acquisition costs for satellite antenna systems under the proposed regulations.

The purpose of providing reimbursement to eligible law enforcement agencies for the purchase of satellite antennas is to make it possible for agencies to receive training programs directly in the workplace. Similar need exists in providing this type of training network to the thousands of trainees that attend basic training courses in POST-certified basic academies.

Including the community college presenters of the Basic Course in the acquisition of satellite antenna systems would further the development of a statewide satellite training network, making instantaneous receipt of training material possible. In addition, community colleges can videotape recordings of the programs and provide them to any agencies that do not elect to install their own satellite antenna systems.

ANALYSIS

A need exists to provide satellite training programs to the trainees in the POST Basic Course, which is presented by 20 community colleges. Thirteen law enforcement agency presenters of the basic course will be reimbursed for installing receivers under the proposed reimbursement program. In addition to providing access to current programs, a Basic Course satellite network would provide an opportunity to link each of our major training presenters for the presentation of special courses on high-impact subject matter, and provide access to many other programs available for use in the many long-term POST-certified training courses presented to thousands of officers annually by these same community college presenters.

If the Commission concurs that there is a need to provide satellite antenna systems to community-college presenters of POST-certified Basic Course programs, it is suggested that this be accomplished under the provisions of contracts between POST and each of the affected presenters. Such an agreement is predicated on the need to provide training distributed by satellite to trainees enrolled in the POST Basic Course.

Contract amounts would be at the same reimbursement rate as established by the Commission for eligible law enforcement agencies. Community college presenters of the basic course and other POST-certified training programs would be limited to one system. If the community college has a police agency eligible for reimbursement and obtains an antenna system under the regular reimbursement program, they would not be eligible for another under contract.

Based upon current cost calculations, the fiscal impact for this program could range from \$50,000 to \$60,000. This amount would provide funding allocations for contracts with the 20 community college presenters of the Basic Course.

RECOMMENDATION

If the Commission concurs, it is recommended that the Executive Director be authorized to enter into contracts with each community-college Basic Course presenter, for the purposes described, with the understanding that the aggregate of all such contracts will not exceed \$60,000, and that each contract will be limited to the maximum reimbursement rate set by the Commission.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for RFP for Developing an IVD Program for Alcohol and Other Drugs Identification		Meeting Date January 21, 1993
Bureau Training Program Svcs.	Reviewed By <i>[Signature]</i> Otto Saltenberger	Researched By Dave Spisak
Executive Director Approval <i>[Signature]</i>	Date of Approval 1-5-93	Date of Report December 22, 1992
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission authorize the issuance of a Request for Proposal (RFP) for the development of an interactive videodisc (IVD) training program on alcohol and other drugs identification at a cost not to exceed \$400,000?

BACKGROUND

Over the past several years the Commission has certified an increasing number of courses concerning alcohol and other drugs. These actions have been in recognition of the continued seriousness and growth of the substance abuse problem in California coupled with the need for the use of advanced technology on the part of law enforcement to counter this abuse problem.

POST currently certifies training in four areas that would be used as the basis for this proposed IVD course. Those areas are:

- Driving Under the Influence
- Drug and Alcohol Recognition
- Drug Identification and Influence (11550 H&S)
- Enforcement Training for Field Officers and Investigators

The proposed content of the specific training in those four areas is summarized in Attachment A.

Section 11550 of the Health and Safety Code, makes it unlawful for persons to use or be under the influence of specified controlled substances. Peace officers, to make arrests under this statute, must be able to recognize the symptoms associated with being under the influence of these drugs. Judicial decision has had the effect of requiring officers who testify in courts on

such cases to have been trained in drug influence courses.

The proposed IVD course is designed to address the training needs of law enforcement personnel assigned to drug enforcement duties, as well as those in the Basic Course. The field of drug enforcement is highly specialized and requires officers to gain knowledge and expertise to effectively do their jobs. This course will provide law enforcement personnel with a training course addressing necessary skills in the four identified areas.

Interactive-videodisc training is ideally suited for conducting pretesting for training goals in many of these classes and then providing retraining on only those topics indicated deficient. Additionally, many training objectives for these classes can be taught at the officer's agency as a prerequisite for attendance at an off-site course with subsequent savings in class time.

POST has had experience with developing computer-based interactive videodisc training. The Commission has previously approved three computer-based training programs - each using the interactive videodisc. The PC 832 Interactive Course, completed in 1989, has shown positive results in its evaluations. The Driver Training IVD Course was completed in June 1992. The First Aid/CPR IVD Course development is in progress and is scheduled for completion in March 1993.

A complete description of the benefits for using computer-based and interactive videodisc training is provided in Attachment B.

ANALYSIS

Increased Quantity of Training

Currently, no interactive videodisc-based alcohol and other drugs training program exists. Therefore, the training can only be provided at an "in-class" course. While the courses that are POST certified are attended by large numbers of California law enforcement officers (see Table 1.), thousands more officers could benefit from the interactive videodisc training. By replacing "in-class" courses in their entirety or by reducing the length of such "in-class" courses, more such training can be provided for substantial training dollar savings.

An analysis of courses offered in the four groups mentioned for the past 12 months shows high student/agency interest.

Table 1.

Number of Students by Course Group 1992

<u>Course Grouping</u>	<u>No. Students</u>	<u>Est Student Days</u>
1. DUI	523	1,569
2. Recognition	429	1,287
3. Drug Influence	759	2,277
4. Narco Enforcement	999	4,995

Preliminary analysis suggests that up to 50% of class time in course groupings one, two, and three could be replaced with IVD computer-based training. An estimated 25% of class time in group four classes could be replaced with IVD training. Table 2 shows the potential student days saved.

Table 2.

Number of Student Days Saved ¹

<u>Course Grouping</u>	<u>Estimated Student Days Saved</u>
1. DUI	784.5
2. Recognition	643.5
3. Drug Influence	1,138.5
4. Narco Enforcement	<u>2,497.5</u>
Total	5,064.0

We believe that more training day equivalents could be provided within an agency-IVD environment with subsequent class time used for those training activities that must be practiced with specialized equipment, experiential learning activities, and groups training activities.

¹ Classes in Groups 1., 2., and 3., are typically 24 hours. Classes in Group 4., consist of 24 hours, 40 hours, and 80 hours. For this analysis, 40-hour classes are assumed.

Standardized Instruction

In addition to the quantity discussion above, there is a value to the quality that an IVD program ensures. Many law enforcement agencies and colleges offer alcohol and other drug classes. The skills and experiences of instructors, and the training aids used in the classrooms are not consistent. Through the use of IVD training materials, a consistent high-quality presentation will be assured throughout the State.

Students, trained by IVD, will arrive at classes where related or advanced instruction is presented with similar experiences, thereby making the instruction in the classroom easier and more advanced. Instructors will not have to use valuable class time to help students attain the basic level of knowledge; they can focus on more complex and advanced materials instead. Additionally, class time can be spent on group activity and skill building rather than basic knowledge acquisition.

Studies show that retention of material is enhanced by IVD learning. The ability to pace the instruction to the student, combined with easily accessible material within the agency, enhances retention by the student.

PROGRAM COST ESTIMATES

In providing cost estimates for the IVD program, staff used current industry standards of pricing for videodisc development. Current costs for a completed videodisc are approximately \$100,000 per finished disc side. Prospective vendors who will be preparing a bid in response to our RFP will need to examine curricula to be included and programming, video production, graphics generation, and study guide preparation to come up with an exact cost for the IVD program. Once that process is complete, the exact number of discs needed to support this IVD program could be lower, with potential cost reduction in the final bids.

This particular training courseware would meet specific needs nationwide. The program would be owned by POST, and the potential to market this IVD courseware to recover some development costs is very favorable. Any marketing program or agreement would be proposed near the end of the courseware development completion date.

RECOMMENDATION

Authorize the Executive Director to prepare and distribute an RFP to develop an IVD Training Program on Alcohol and Other Drugs Identification at a cost not to exceed \$400,000 and recommend a developer to the Commission at its April 1993 meeting.

Alcohol and Other Drugs Identification

Disc One - "Driving Under the Influence," would include:

- o legal issues
- o DMV legal sanctions
- o 13353 chemical testifying
- o probable cause
- o standardized field sobriety testing
- o gaze nystagmus
- o sobriety checkpoints
- o detection techniques
- o common DUI defenses

Disc Two - "Drug and Alcohol Recognition," would include:

- o drug and alcohol awareness
- o drug and alcohol recognition and intoxication
- o human physiology
- o field sobriety tests
- o gaze nystagmus
- o cannabis
- o PCP
- o opiates
- o stimulants
- o hallucinogens
- o depressants
- o drug toxicology

Disc Three - "Drug Identification and Influence (11550)," would include:

- o human physiology
- o drug identification
- o drug influence determination
- o hallucinogens
- o depressants
- o cannabis
- o PCP
- o opiates
- o stimulants
- o alcohol
- o applicable laws
- o substance identification
- o physiological symptoms
- o objective signs
- o chemical testing
- o legal issues

Disc Four - "Enforcement Training for Field Officers and Investigators," would include:

- o legal issues
- o drug identification
- o user identification
- o field testing
- o undercover surveillance
- o identification hazardous material, drug labs, and California Administrative Code Manuals
- o clandestine labs (laws, safety, storage, and disposal)
- o evidence procedures
- o case preparation
- o testimony in court
- o handling informants

COMPUTER-BASED TRAINING

The potential of computer-based training (CBT) is clear. No other media or approach (including one-teacher/one-student models) offers the opportunities for individualization on pace, content, sequence, and difficulty that CBT offers. No other approach offers the opportunities for providing trials with feedback, item or response-specific helps, simulations of complex problems, or techniques and management control of CBT.

CBT refers simply to the use of computers in managing and presenting lessons to trainees. Trainees receive individualized and self-paced instruction.

Trainees choose when and where in the text to begin and end lessons depending on what they plan to learn and what they have already accomplished. Trainees may pursue specific interests and applications in their preferred mode of instruction, whether graphic, audio, video, or verbal.

CBT involves interaction between the trainee and the computer in which the trainee responds to instruction delivered by the computer.

Some common modes of CBT include tutorials where the computer acts as a tutor and instructs the trainee; drill and practice where the trainee answers a sequence of questions; simulation where the trainee is allowed to practice certain skills modeling.

This flexibility is a major feature of CBT's management capability. By diagnosing the trainee's responses, it can choose and follow the most effective instructional strategy for each trainee and cure deficient skills and knowledge. Computer feedback - the result of vast amounts of data and variables - is immediate and exact, while instructors' responses are often subjective and not timely.

CBT responds to a variety of training needs by allowing:

- o large numbers of geographically dispersed trainees to receive standardized instruction
- o individualized training programs
- o training in cognitive and technical subjects
- o self-paced learning
- o instantaneous remedial and tutorial training

The benefits in using a CBT program are time, cost, and energy savings. A system can quickly update courses from a central location, store and process huge amounts of information, and improve training evaluation. It can potentially reduce overall training costs by:

- o eliminating travel to distant places for training
- o being more effective for retention of material
- o requiring fewer training hours to master material
- o affording greater accessibility to needed subject matter
- o using pre- and post-testing to assure teaching materials that the trainees do not already know

Today, major businesses such as IBM, General Motors, Chrysler Corporation, and Ford Motor Company use CBT to enhance learning. IBM provides more than 30 percent of its education courses in self-study format at learning centers, in marketing and service branch locations, and at manufacturing and development locations. In the very near future, more and more self-study courses will be delivered on the personal computer right at the trainee's work station or learning station.

Self-study delivery media are as diverse as the messages delivered. They range from text books; audio cassettes and tutored videotapes to interactive-videodisc training incorporating sophisticated, high-resolution graphics; video animation; audio soundtracks; and touch-screen operation. Often these training materials are made available to the trainee in combination, such as work books with an interactive-videodisc program.

Individual learning with CBT provides the benefits of convenience, since trainees can take courses when and where they want and can proceed at their own pace. It increases student productivity by eliminating travel time to and from class, and it is cost efficient, since travel and living expenses are eliminated and administrative expenses are reduced.

Self-contained training module programs use up-to-date teaching methods, including graphics and simulation. Students progress at their own pace, skipping or repeating sections as they see fit, and throughout the process the computer system tracks progress and tells trainees which section should be studied next. CBT programs encourage a high degree of student interaction providing hands-on training that keeps participants involved and interested.

The initial costs of obtaining the hardware and developing the software programs are expensive. In the period since 1985, market forces have been in play which have been the catalyst for powerful and sophisticated hardware and software. At the same time, the prices of both have tumbled dramatically. A dollar today will buy many times the computing power that it could

purchase only two or three years ago. It is expected that this downward cost trend will continue on into the future.

Law enforcement training courses can be delivered effectively by integrating the use of CBT programs into the overall POST training program.

INTERACTIVE-VIDEODISC COURSEWARE DEVELOPMENT

Interactive-videodisc (IVD), which is an advanced form of computer-based training, is a unique instructional medium which links microprocessor responding and evaluating devices with a videodisc player.

This interface provides lesson designers with unparalleled resources for blending still and motion pictures, sound, text, animation, and graphics for instructional purposes. By controlling a videodisc player with an external computer, sophisticated instructional strategies can be applied to law enforcement training.

Interactive programs build decision-making and problem-solving skills, giving the trainees control to choose what they need to learn and skip over what they already know. Interactive video programs can provide higher visual levels not achieved with the lower-level CBT programs. In addition, it also provides the ability to:

- o train people in a reduced period of time
- o teach skills and help trainees practice them
- o show desired behaviors in various scenarios, a valuable medium for behavior modeling
- o train groups as well as individuals
- o free the instructor to provide individual coaching

The American Heart Association uses a mannequin in an IVD program to teach cardiopulmonary resuscitation. As trainees practice, the video "instructor" gives them directions regarding technique and accuracy. Airline pilots hone decision-making skills by using IVD programs involving emergencies, choosing a course of action through a computer program, and then analyzing outcomes of their decisions.

The Commission on POST has developed the PC 832 "Introduction to Law Enforcement" interactive course, and has contracted for the development of a comprehensive driver training interactive videodisc course that was completed in June 1992.

The marriage of multimedia and the computer has resulted in trainees, who use these types of interactive systems and are achieving scores which are significantly higher than learners using other approaches although they spend less time in instruction.

Recent studies at IBM showed that learners saved 25 percent training time and increased retention of the material by 60 percent using the computer/video medium. It was judged a more effective training tool because its simulation feature challenged a learner's problem-solving skills.

One of the interactive videodisc's chief advantage is its random access capability of locating any section of the program within fractions of a second. This enables trainees to control the order of the video segments on their monitors. They answer questions posed by the computer program, and as part of the computer's "branching" feature, are directed to other parts of the training on the basis of their responses. Correct answers take them to the next segment, and incorrect ones take them back to original lessons or remedial lessons.

Interactive videodisc programs offer the most effective instruction available by engaging some of the trainee's senses. While reducing training time, multi-sensory learning increases comprehension, helping trainee's retain a large amount of what they see, hear, and do.

With the proper equipment, widely dispersed trainees can receive uniform instruction. Trainees in remote areas can have access to the same specialized information and new program enhancements. The equipment responds to users and permits them to actively participate in the course of instruction by adapting the instructional presentation to each individual's ability and knowledge by responding using the keyboard, touch-screen or routing device, such as a "mouse".

Trainees also have the freedom to organize sections of the material that best suit their needs. Trainees can learn at their own pace, and can receive a variety of directions from the computer ranging from drill and practice to contacting the instructor or facilitator for further assistance.

The two major components of the interactive systems, the microcomputer and the videodisc, are readily available and easily affordable as they are commercial products sold nationwide. Using high-level computer and authoring languages, instructional designers, who are non-programmers, can be taught to develop their own interactive programs. The computer component can track learners' responses and progress, direct learners to appropriate instruction, and help revise the training program itself.

Recent developments in the field of Digital Video Interactive (DVI), an enhancement of the interactive system using "real-time" motion on the videodisc, will provide additional capabilities in the use of interactive videodisc training programs for law enforcement when this technology is fully developed. IBM and Intel, developers of the DVI concept, predict that within two years every personal computer sold will have the DVI chip available and will be installed as part of the base cost of the computer.

This will allow any personal computer to become an interactive media platform. This will include many personal computers that have already been purchased by law enforcement agencies or trainers.

The ACR 58 Study Committee believes there is compelling evidence that interactive videodisc programs are an effective means of meeting many cognitive skills training needs in law enforcement training and can easily be integrated into the current law enforcement training delivery system.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request to Purchase Additional Sets of PC 832 Courseware		Meeting Date January 21, 1993
Bureau Training Program Services	Reviewed By <i>Otto Saltenberger</i> Otto Saltenberger	Researched By Ken Whitman <i>[Signature]</i>
Executive Director Approval <i>Mouman C. Bechum</i>	Date of Approval 1-5-93	Date of Report December 30, 1992
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE:

Should the Commission authorize the Executive Director to purchase additional interactive courseware for the PC 832 Introduction to Law Enforcement course at a cost not to exceed \$26,000.

BACKGROUND:

The Commission developed the PC 832 Introduction to Law Enforcement interactive courseware in conjunction with Comsell, Inc. and took delivery of 50 sets of courseware in 1989. The courseware consists of student workbooks, software disks and eight (8) laser discs. This courseware currently covers all of the existing performance objectives in the course except the new learning experience areas. The initial sets of courseware have been exhausted.

There are 66 presenters of the PC 832 course, and POST is testing an average of 10,000 trainees annually using the POST testing instrument. We have requests for four (4) sets of the courseware from presenters who have obtained the hardware necessary to run the program.

Within the next three months, the POST/Community College Chancellor's grant will provide an additional 29 workstations for community college presenter use. This grant is an extension of an existing grant to place IVD systems into community college presenters of the PC 832 course. One set of courseware will be required for each of these workstations.

Based on existing requests for courseware it is anticipated that we need to order 50 sets just to meet our needs for the community college program, and to have courseware available to respond to additional requests.

ANALYSIS:

POST owns the master video tapes and software source codes for this course. Comsell Inc. has been marketing the courseware outside the state since late 1989. The video tape masters are currently stored at 3M Corporation under this marketing agreement.

In order to produce additional sets of the courseware, a very sensitive "glass master" of each disc must be made. A "glass master" is required for each disc to allow the replication of that disc in a "hyper-clean" room. 3M and Pioneer are the only video laser disc production companies available to produce the master and press the individual video discs.

A "glass master" has a shelf life of one year. The original was destroyed after the initial order from Comsell. Each subsequent re-order after the one year time frame requires that a new "glass master" be made to allow replication of the laser discs. The mastering costs at 3M are \$1600 per disc and at Pioneer are \$1675 per side. With eight (8) video discs, the mastering charges would be \$12,800 from 3M and \$13,400 from Pioneer. Costs for disc duplication are \$20 per disc.

Comsell can supply the complete courseware package (consisting of the discs, software programs and plastic storage cases) for the additional completed sets. Comsell currently holds the POST marketing agreement for this courseware. They have quoted a price of \$520 per set which includes the glass-mastering, assembly labor, and shipping. The \$520 per set is based on volume purchase of 50 sets of the courseware, for a total cost of \$26,000.

In order to meet anticipated needs for courseware over the remainder of this fiscal year, an additional 50 complete sets are needed. Consequently, we would be able to deliver the 29 requested sets to the community college program, 4 sets to the field, and have 18 sets of courseware in inventory available for use until final decisions are made about up-dating the courseware later in 1993.

RECOMMENDATION:

Authorize the Executive Director to purchase PC 832 Introduction to Law Enforcement courseware consisting of 50 complete sets of courseware at a cost not to exceed \$26,000. (ROLL CALL VOTE)

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Report Writing Capabilities of Basic Academy Graduates		Meeting Date January 21, 1993
Research Standards & Evaluation	Reviewed By John Berner	Researched By Richard Honey Bill Dyer
Executive Director Approval <i>Morgan C. Boehm</i>	Date of Approval 1-6-93	Date of Report December 4, 1992
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Report Writing Capabilities of Basic Academy Cadets.

BACKGROUND

Commission Regulation 1002(a)(9), which has been in effect in its current form since 1984, requires that all peace officers from agencies in the POST program be able to:

... read and write at levels necessary to perform the job as determined by the use of the POST Entry-Level Law Enforcement Test Battery or other job-related tests of reading and writing ability.

The POST test battery is made available to local agencies free of charge at an annual cost to POST of approximately \$100,000. The minimum passing score necessary to demonstrate acceptable reading and writing ability levels, regardless of test used, is established locally.¹

Over the years, the Commission has requested and received several reports on the impact of the regulation. The most recent was prepared for the Commission in 1990. Key findings from that report were the following:

- No change overall in the average reading and writing abilities of academy cadets, as compared to three years earlier
- A significant decline in the average reading and writing abilities of job applicants, as compared to three years earlier

¹A minimum passing score range is recommended, but not required, for those agencies that use the POST test battery.

- Significant improvement in the average reading and writing abilities of nonaffiliated cadets, as compared to three years earlier
- Significantly higher average reading and writing abilities for nonaffiliated cadets than for affiliated cadets
- Use of a significantly higher average minimum passing score on the POST test battery, as compared to three years earlier

Writing skills are evaluated via multiple-choice questions in the POST test battery, and the report also described preliminary research findings for an experimental writing sample (essay) test of writing ability.

The report concluded by acknowledging that while the findings are at the same time both encouraging and discouraging, it is difficult to assess the need for the Commission to take any action to "strengthen" the requirement, particularly with respect to writing ability, in the absence of some formal assessment of the report writing capabilities of those who successfully complete basic training. Accordingly, staff asked for and received approval to develop and administer a standardized measure of report writing capabilities to a group of recent academy graduates.

This report summarizes the results of that work. In addition, updated information is provided for many of the major findings reported on in 1990.

ANALYSIS

Report Writing Capabilities of Basic Academy Graduates

Development of Report Writing Test:

Preparatory to developing the test, staff met with, interviewed, or surveyed academy report writing instructors, field training officers, and district attorneys to identify how each of these groups perceives the writing skills of present basic academy graduates, and in the case of academy report writing instructors, how report writing is being taught. The information obtained from these groups is summarized below.

Report Writing Instructors:

Considerable diversity exists among academies in a number of respects. For example, requirements for entry into the various academies differ greatly. Some academies require that entering cadets be skilled in writing basics, focus their curricula on writing itself, and devote little if any instruction to writing

mechanics. Other academies accept cadets with more limited writing skills and train in all aspects of writing, beginning with basic punctuation and grammar and extending through the actual writing of reports. Program length varies from 18 hours to over 80 hours.

Report writing requirements also differ in major ways. Some academies require that all writing be completed in class; others permit the cadets to complete some or all writing assignments at home. Time constraints are imposed in some locations and not others. Regarding writing prompts, some academies utilize written fact sheets while others use role playing or video scenarios.

Academies also differ in the procedures and criteria utilized for evaluating cadet writing. Many use analytical scoring, which places emphasis on evaluating the mechanical aspects of writing (i.e, proper use of punctuation, grammar, etc.); others use holistic scoring, in which emphasis is placed on the overall organization and development of the passage.² Some academies score all reports while others score only some of the cadets' writing.

One apparent common practice among academies is that of teaching and evaluating investigative skills separately from writing skills.

When asked about the effectiveness of their programs, most report writing instructors reported that they believe the individuals

²In analytical scoring, some number of points is subtracted (usually from 100) when an error is encountered. Different numbers of points are subtracted for different types of errors (punctuation, grammar, etc). The focus is on the mechanical aspects of writing. In contrast, holistic scoring is a procedure for ranking writing samples relative to a set of bench mark papers. Readers review a number of papers (reports) and select those they feel best represent the various points on the rating scale. A 6-point scale has become the norm with a "1" paper being totally unacceptable and a "6" paper being exemplary. The norm papers become the criterion reference points for evaluating all papers in the group. The ratings are done quickly and impressionistically with the raters specifically instructed to simply place each paper on the scale and not to become excessively focused on the surface aspects of the writing. This is not to say that the mechanical aspects of writing (i.e., punctuation, grammar, spelling, word choice, etc.) are ignored. To the extent that surface errors intrude on meaning they become relevant and the score is lowered. Primary emphasis, however, is placed on the writer's ability to organize and develop the narrative and to use language effectively.

graduating from their academies are at least minimally proficient at writing reports.

Field Training Officers (FTOs):

Among the FTOs surveyed there was a general feeling that recruit writing abilities are in decline. FTOs were clearly troubled by the lack of mechanical writing skills possessed by new officers, and they also expressed concern regarding the new officers' ability to gather information and report it. This concern included identifying and interviewing important persons, addressing all relevant issues, taking thorough notes, and translating those notes into a report. The FTOs also felt that new officers are lacking in their ability to generate clear, concise narrative that is well organized and chronologically correct.

District Attorneys (D.A.s):

The D.A.s contacted indicated they have become accepting of grammatically weak reports, but expressed extreme frustration with the lack of relevant information in reports, the poor logical and chronological development of the narrative, and the sloppy use of language that frequently results in ambiguity. Repeated reference was made to officers' inability to truly understand the purpose of the police report, and subsequently, to fail to anticipate defenses when collecting and reporting data. Some felt the problems are due primarily to time constraints and the officers' negative attitude toward writing; others felt the problems are symptomatic of deficiencies in the officers' information processing and/or investigative capabilities.

Based on the above observations, the decision was made to construct a standardized test that would permit evaluation of the investigative, information processing aspects of writing, as well as those skills directly related to the generation of narrative. This approach seemed reasonable not only from the standpoint of addressing the concerns expressed by those we contacted, but also from the standpoint that police reports are written documents, characterized by a particular style and format, that describe an event or incident. Thus, the adequacy of a report is dependent not only on the technical writing skills of the officer, but also on the officer's ability to accurately and completely understand all relevant aspects of the incident being reported upon.

Description of Report Writing Test:

The test which was developed consisted of two short videos interspersed with short tests and writing assignments. The first video showed two officers responding to and interviewing the participants in an incident. A number of questions followed that were designed to assess the cadet's basic understanding of the incident (knowledge of applicable laws, adequacy of information presented in the video, strategies for producing a completed report, etc.). The second video

was then shown. It consisted of the officers interviewing a witness to the incident. The interview provided the additional information necessary to write a thorough report. In writing the report, the cadets used the forms and procedures with which they were familiar.

Administration of the Test:

The test was administered in seven academies to a total of 230 cadets. Four hour blocks of time were reserved for the testing process. All tests were administered by POST staff so that uniformity of process would be assured.

Scoring the Test:

The tests were scored by two different groups of evaluators - report writing instructors from those academies where the tests were administered, and a group of experienced writing evaluators (individuals who evaluate English placement tests for the California State University System, and certain POST staff who have considerable experience evaluating writing). The report writing instructors first evaluated selected reports (some from their own academy and some from other academies) using whatever scoring procedure they use in their academy. In all instances, this consisted of some form of analytical scoring. (See footnote 2 for descriptions of scoring procedures.) They then received training in the holistic technique, and rescored the same reports using this procedure. The experienced writing evaluators used the holistic technique only. An attempt was made to have each test evaluated by at least two persons from each group. Time constraints resulted in only 139 tests being evaluated in this manner.³ POST staff scored the answers to the questions designed to assess each cadet's understanding of the incident.

Analysis of Test Results:

Reliability of Different Scoring Procedures:

As shown in Table 1, the reliabilities of the two types of scores assigned by the report writing instructors (analytical and holistic) were comparable, while the holistic scores assigned by the experienced writing evaluators were significantly more reliable than either set of scores assigned by the report writing

³The face sheet for each report, although completed, was not scored. It was assumed that if a cadet could write well, there was a very high probability that the cadet would also be capable of completing the face sheet.

instructors.⁴

Table 1
Reliabilities for Different Scoring Procedures

Academy Instructors: Analytical Scoring	Academy Instructors: Holistic Scoring	Experienced Evaluators: Holistic Scoring
.51	.65	.88*
(N=15)	(N=59)	(N=79)

*Significantly different from other scoring methods ($p < .05$)

Interrelationships Among Scores:

Scores on the POST reading and writing test battery were also obtained for some of the cadets. Shown in Table 2 are the intercorrelations between the scores on this test and the different scores that were obtained for the report writing test. As indicated in the table, the three different scoring procedures for the report writing test (Academy Instructors: Analytical Scoring; Academy Instructors: Holistic Scoring; Experienced Evaluators: Holistic Scoring) yielded highly correlated scores. Scores on the POST reading and writing test battery were found to be significantly correlated with all three sets of report writing scores.⁵ Scores on the knowledge and information processing questions that were included in the report writing test were found to be significantly correlated, although modestly, with two of the three sets of scores for the narrative (Academy Instructors: Holistic Scoring; and Experienced Evaluators: Holistic Scoring).

Passing Rates on (Report Writing) Test:

Table 3 summarizes the pass/fail rates for the three different scoring procedures. The notably high failure rates - which ranged from 42.2% to 59.6% - are all the more remarkable when one

⁴Reliability in the present context refers to the extent to which two different raters, working independently, assigned the same score to a given report.

⁵The correlation is highest with analytical scores on the report writing test. This is not surprising since the writing questions on the POST test battery focus on the mechanical aspects of writing (spelling, punctuation, etc.) as does the analytical method for scoring reports.

considers that all the cadets had satisfactorily completed the report writing portion of their academy training, and furthermore, this fact was known to those who scored the tests (including the report writing instructors).⁶

Table 2
Score Intercorrelations

	Academy Instr: Hol.	Exper. Eval: Hol.	POST Test Bat.	Report Writing: Info.
Academy Instr: Analyt.	.52** N=58	.57** N=61	.41** N=56	.38 N=23
Academy Instr. Hol.		.69** N=59	.21* N=100	.27** N=114
Exper. Eval: Hol.			.27* N=68	.34** N=83
POST Test Bat.				.24** N=116

*p<.05; **p<.01

Table 3
Pass/Fail Rates for Different Scoring Procedures

	% Pass	%Fail
Academy Instructors: Analytical Scoring	47.7	52.3
Academy Instructors: Holistic Scoring	40.4	59.6
Experienced Evaluators: Holistic Scoring	57.8	42.2

⁶Statistical analyses were conducted to check for indications of possible bias in the scores; for example, to see if academy instructors were less apt to assign failing scores to cadets from their own academy. No evidence of bias was found.

Impact of Instruction on (Report Writing) Test Scores:

As mentioned previously, information provided by academy report writing instructors indicates that there is considerable variation in the nature and extent of academy report writing instruction and cadet evaluation. As a check of the possible impact of such variation, a statistical procedure known as analysis of covariance was used to examine for academy differences on the report writing test after controlling for cadet ability level.⁷ As shown in Table 4, such differences were found for all report writing scores. The significance of these findings is that they are highly suggestive that instructional differences - over-and-above differences in basic writing ability - are related to differences in cadet report writing performance.

Table 4
Tests For Academy Differences in Cadet Report
Writing Scores After Controlling For Cadet Ability
Level Differences (Analysis of Covariance)

Variable	DF	F	sig of F
Academy Instructors: Analytical Scoring	5,47	4.68	.0015
Academy Instructors: Holistic Scoring	3,42	4.27	.0101
Experienced Evaluators: Holistic Scoring	6,57	9.05	.0001

Summary:

A video-based test was developed for purposes of assessing the report writing capabilities of basic academy trainees. The test required that trainees both write a report of the incident depicted on the video, and answer a number of questions designed to assess understanding of the incident. The reports were scored by basic academy report writing instructors and experienced writing evaluators. The report writing instructors scored the reports using analytical scoring procedures; then received instruction in, and rescored the reports using the holistic procedure. The experienced evaluators scored the reports using the holistic technique only.

⁷The covariate used to control for ability level differences was scores on the POST reading and writing test battery.

The reliabilities of the two sets of scores assigned by the report writing instructors (analytical and holistic) were moderate, whereas high reliability was achieved for the scores assigned by the experienced evaluators. Trainee "failure rate," regardless of scoring method used, approached or slightly exceeded 50%. Scores on the series of questions designed to assess understanding of the incident were found to be modestly correlated with report writing scores.

Methods and extent of report writing instruction and report writing evaluation, as reported by report writing instructors, vary considerably by academy. Controlling for differences in basic writing skills, scores on the report writing test were found to differ significantly across academies - thus suggesting that instruction plays a significant role in the quality of reports written by basic academy trainees.

Update on Information Provided to Commission in 1990

In addition to completing the above-described research on the report writing capabilities of basic academy trainees, we have continued to collect many of the types of information reported on in 1990 with respect to the impact of the current POST entry-level reading and writing testing requirement. The findings are summarized below. The trends reflected in the updated information are encouraging - both with respect to the manner in which the POST test battery is being used, and the reading and writing capabilities of entering academy cadets.

- The average reading and writing abilities of job applicants, as measured by the POST test battery, are unchanged from 1990.⁸
- The average reading and writing abilities of affiliated basic academy cadets, as measured by the POST test battery, have increased significantly from 1990.⁹
- Scores on the POST test battery continue to be significantly correlated with academic performance in basic training. Further, in a recent study involving a large number of cadets

⁸Based on scores achieved by 16,410 job applicants in FY 91/92, versus 18,891 job applicants in FY 89/90.

⁹Based on average score achieved by 553 affiliated cadets from five different academies in FY 91/92 (Los Angeles Police Department, Oakland Police Department, Sacramento Police Department, San Diego Police Department, San Francisco Police Department), versus average score achieved by 379 affiliated cadets in FY 89/90 (52.9 versus 51.0; $p < .01$). Recent scores for nonaffiliated cadets are not available. However, in FY 89/90 the average score for this group was significantly higher than for affiliated cadets.

from five different academies, scores on the POST test battery were found to be significantly correlated with Field Training Officer evaluations of report writing ($N=385$, $r=.194$, $p<.0001$).

- On average, those who use the POST test battery are setting higher minimum passing scores. For employing agencies the average increased from 43.8 in 1989/90 to 45.7 in 1991/92; for academies the increase was from 42.0 in 1989/90 to 42.5 in 1991/92.
- The experimental essay test of writing ability, first researched in 1990, continues to hold some promise as an entry-level screening device. Based on a study of 320 cadets, when used in combination with the POST test battery, scores on the test were found to add to the prediction of academy instructors' evaluations of the adequacy of cadets' written reports ($\text{Chi-Square}=5.59$, $df=1$, $p<.018$). However, introduction of such a test is likely to add significantly to the adverse impact of the overall testing process. Moreover, the costs associated with scoring such tests are considerable, and would far exceed POST's ability to provide such a service to local agencies free of charge. In view of these considerations, the most prudent course of action would appear to be for POST to continue to offer training to those agencies and academies that have an interest in using such an exam.¹⁰

Summary and Conclusions

Considered in total, the results of the two sets of inquiries suggest that the underlying reading and writing abilities of basic academy cadets are at least as good, and in the case of affiliated cadets, demonstrably better than two years ago. Further, minimum passing scores on the POST test have risen, giving cause to believe that this trend will continue. However, whether based on the evaluations of academy report writing instructors or experienced writing evaluators, an alarmingly high percentage of basic academy graduates are deficient with respect to writing police reports. Furthermore, there are significant differences in the quality of reports written by cadets from different academies - differences which cannot be explained by underlying reading and writing ability differences alone, and which appear to be related to the nature and extent of academy report writing instruction.

Another outcome of the present research was the demonstration that a standardized, video-tape based test of report writing can be developed,

¹⁰Such training addresses holistic scoring procedures and the types of prompts that are appropriate for such an exam. POST staff have provided this training in the past.

and that with sufficient training, it is likely that report writing instructors can score the test reliably.¹¹ Further, while not a focus of the current research, it would seem reasonable to expect that such tests could serve to bring about greater standardization in report writing instruction as well as report writing evaluation. Based on this assumption, and in the knowledge that instructional differences play a significant role in the quality of reports written by academy cadets, it is proposed that a series of up to five new video-tape based tests of report writing be developed, and incorporated into a standardized basic course report writing curriculum.

As proposed, each video test would be designed to develop the perceptual, analytical, and information processing aspects of written communication. For example, a particular video might contain superfluous information and the cadet must identify what is relevant and what is not. Each video would require that the cadet know all of the applicable laws and codes and be able to utilize them appropriately. Additionally, the incidents depicted on the videos would become increasing complex, thereby providing the cadet with ever more challenging and realistic situations.

As a further means of standardizing instruction, an "Instructor Guide" would be developed for each video which contains various exercises and other instructional materials which are to be used preparatory to showing the video. Also included would be a detailed description of the criteria to be used when evaluating the cadets' reports and a set of exemplar reports which typify reports of varying quality.

Report writing instructors would attend a training program preparatory to using the videos. It is not enough that a report writing instructor be someone who writes good reports. There are a myriad of techniques and procedures available to address specific writing deficiencies. The instructors would be schooled in many of these techniques and procedures so that they can more efficiently improve cadets' narrative skills.

Instructors would also receive instruction in evaluation. All that might be gained through good instruction can be lost if the cadets' work is improperly evaluated. The primary purpose of evaluation should not simply be the generation of a grade, but rather to provide feedback to the cadet. This feedback should address both the rhetorical, organizational aspects of writing (i.e., the abilities to plan,

¹¹Emphasis needs to be placed on the word "likely," and is based on the fact that while the reliability of the holistic scores assigned by the report writing instructors in the current study was not particularly high, the instructors received minimal training in the technique. Furthermore, in most "high stakes" applications of holistic scoring, each test is independently scored by two raters, and a third reader is used, if necessary, to resolve large score differences.

organize, develop and control text), and the more rudimentary surface skills such as spelling, punctuation and grammar. Academy instructors have traditionally tended to focus largely on the latter set of skills.

Development and implementation of all components of the proposed standardized report writing curriculum would take a minimum of one year at an estimated cost to POST of no more than \$127,750. The cost estimate assumes a three-month POST Fellowship for the services of an experienced law enforcement report writing instructor, contract monies for the professional development of five different 10 to 15 minute videos, and the contract services of a professional language instructor. The primary responsibilities of the POST Fellow would be those of developing the video scripts, overseeing the shooting of the videos, and assisting in the development and documentation of the report writing evaluation criteria. The professional language instructor would be responsible for developing and presenting the instructor training, and would also participate in the development of the report writing evaluation criteria and the "Instructor Guide" materials. A breakdown of the anticipated costs is shown below.

POST Fellow (3 months):	\$ 25,000
Video Production:	\$ 93,750
(five 10-15 minute videos	
@ \$1,500 per minute)	
Professional Language Instructor:	\$ 9,000
(180 hours @\$50 per hour)	

TOTAL \$127,750

Once developed and implemented, staff would begin collecting evaluation information for purposes of reporting back to the Commission as to the efficacy of the new curriculum and the impact of the program on cadet report writing capabilities.

RECOMMENDATION

Authorize the Executive Director to enter into contracts as described above for a total amount not to exceed \$127,750 for development of the proposed standardized basic academy report writing curriculum (including standardized tests and instructor training), with the understanding that staff will report back to the Commission as to the impact of the program once implemented.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Revised POST Medical Screening Manual		Meeting Date January 21, 1993
Bureau Standards & Evaluation	Reviewed By	Researched By John Berner <i>[Signature]</i>
Executive Director Approval <i>[Signature]</i>	Date of Approval 12-18-92	Date of Report December 4, 1992
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Request to release revised POST Medical Screening Manual for California Law Enforcement.

BACKGROUND

The current POST Medical Screening Manual for California Law Enforcement was published in 1977. At its January 1991 meeting, the Commission approved an interagency agreement in the amount of \$26,000 with the City of Los Angeles for the services of Robert Goldberg, M.D., the City's Assistant Director of Occupational Health and Safety, to assist in revising the manual. In January 1992 the Commission approved an augmentation to the interagency agreement in the amount of \$17,800.

ANALYSIS

The new manual, in its final draft stage, is attached. The manual was completed under the direction of POST staff member Shelley Spilberg, Ph.D., in close coordination with Dr. Goldberg, and Steven Weyers, M.D., State Medical Officer.


The vastly different format and substance of the 1993 manual is reflective of the many medical and legal advances (and challenges) that have transpired since publication of the 1977 edition. Through the in-depth participation of over 40 medical specialists, the new manual provides those tasked with the medical screening of peace officer candidates with detailed, concrete examination and evaluation protocols. All protocols have been developed to ensure compliance with both state and federal laws (including the Americans with Disabilities Act of 1990) that protect the employment rights of individuals with medical conditions and physical disabilities.

The new manual is intended to require no special training to implement. However, POST will solicit early feedback from manual users and, if deemed necessary, will create and conduct training sessions for physicians and/or hiring authorities.

RECOMMENDATION

Approve distribution of the revised POST Medical Screening Manual for California Law Enforcement.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposed Changes to the Regular Basic Course Performance Objectives		Meeting Date January 21, 1993	
Bureau Basic Training Bureau		Reviewed By Robert Fuller	
Executive Director Approval 		Date of Approval December 14, 1992	
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No	

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission approve, subject to a public review process, changes to the basic course performance objectives as enumerated in this report?

BACKGROUND

On October 1, 1992, the use of the POSTRAC automated system of tracking student mastery of basic course performance objectives (POs) became mandatory for POST-certified basic training presenters. The bank of test questions which make up that system is maintained and updated by POST staff with the assistance of curriculum consultants. Twenty-two performance objectives have been identified as POs to which an effective test question cannot be written because they contain material which is agency-specific, redundant with other POs, too subjective, or because they contain information which the beginning peace officer does not need (Attachment A). Therefore, although they exist as mandated POs in the basic course, they are not being tested in the POSTRAC system because effective test questions cannot be written.

Each of these POs was carefully evaluated by POST staff and the curriculum committee of the consortium of basic course academy directors. It is recommended that these POs be deleted from mandatory curriculum content. As a practical matter, most of the content proposed for deletion would continue to be included as instruction, but evaluation of student learning through testing would no longer be required.

Another group of proposed changes to the basic course curriculum are a result of regularly scheduled workshops during which POs are continually updated to reflect emerging training needs, curricula changes, and changes in the law. As part of this process, POST staff and curriculum consultants (academy instructors and other subject matter experts) thoroughly review each PO to determine what revisions are necessary. The revisions proposed are in the areas of Juvenile Law, Crimes Against Children, and Traffic. Staff and curriculum

consultants recommend two deletions, three additions and 13 modifications to POs in these areas so that they will remain contemporary to the needs of today's peace officer (Attachment B).

All proposed changes have been reviewed and approved by POST staff, the curriculum committee, and the full consortium of academy directors.

ANALYSIS

CONTENT DELETIONS

POs With Testing Problems:

Satisfactions and Dissatisfactions in Law Enforcement Career PO 1.6.1 requires students to identify common satisfactions and dissatisfactions inherent in a law enforcement career. The information contained in this PO deals with the student's personal perspective and cannot be evaluated with objective test items.

Lifestyle PO 1.6.2 requires students to identify the importance of maintaining a balanced, long-term approach to his/her lifestyle. This PO addresses an individual's personal life and is not information the student must know to perform the duties of a peace officer. This information will be discussed in suggested curriculum but cannot be evaluated with objective test items.

Effects of Career Choice PO 1.6.3 requires the student to identify the potential effects which his/her career choice may have. This PO addresses an individual's personal life and is not information the student must know to perform the duties of a peace officer. It cannot be evaluated with objective test items.

Crime Prevention Programs PO 2.4.7 requires the student to identify crime prevention programs. This PO requires the student to memorize names of programs; this does not ensure that the student will be able to assist in crime prevention. This PO requires knowledge that varies from agency to agency and cannot be uniformly evaluated on a statewide basis.

Officer Stress PO 2.5.1 requires the student to identify reasons for officer stress. Identifying reasons for stress in a list of multiple choice options does nothing to help the officer reduce stress. Some of the items listed in the PO are actually not "reasons" for stress e.g., fear and others may be stressful to one person but not another. This information will be discussed in suggested curriculum but cannot be evaluated with objective test items.

Manifestations of Stress PO 2.5.2 requires the student to identify manifestations of stress and lists options which are common knowledge. All people react differently to stress. This information will be

discussed in suggested curriculum but cannot reasonably be evaluated with objective test items.

Causes of Stress for Citizens PO 2.5.4 requires the student to identify the situations which are likely to cause severe stress or crisis for citizens. It is not possible to identify common crisis situations that would universally apply. This information will be discussed in suggested curriculum but cannot reasonably be evaluated with objective test items.

Verbal/Non-verbal Behavior PO 5.1.4 requires the student to identify verbal/non-verbal behavior which is indicative of potentially hostile actions. Multiple choice options of behavior indicators are subject to interpretation. This information will be discussed in suggested curriculum but cannot reasonably be evaluated with objective test items.

Field Notes PO 5.2.2 requires the student to identify types of information that should be entered into field notes. This knowledge is better evaluated in existing exercise PO 5.2.3 which requires the student to demonstrate the ability to take neat and accurate notes.

Characteristics of a Good Report PO 5.3.2 requires the student to identify characteristics essential to a good report. It would be impossible to construct a multiple choice test question which would not have an obvious answer. This knowledge is better evaluated in existing exercise PO 5.5.1 which requires the student to write a crime report.

Questions in a Complete Report PO 5.3.3 requires the student to identify questions which should be answered in a complete report. It would be impossible to construct a multiple choice test question which would not have an obvious answer. This knowledge is better evaluated in existing exercise PO 5.5.1 which requires the student to write a crime report.

Inappropriate Words for Police Reports PO 5.4.4 requires the student to identify inappropriate words for police reports. It would be impossible to construct a multiple choice test question which would not have an obvious answer. This knowledge is better evaluated in existing exercise PO 5.5.1 which requires the student to write a crime report.

Components of Vehicle Stopping Distance PO 6.2.4 requires the student to identify in the proper sequence the components that make up total stopping distance. The sequence of three components (perception of danger, decision/reaction, braking) is so obvious that a test question cannot be devised which would not have an obvious answer.

Use of Restraint Devices PO 8.19.1 requires the student to identify common limitations regarding the use of restraint devices on certain types of prisoners. Agency policies on the use of restraint devices vary; therefore this knowledge is more appropriate for an FTO program.

Restrictions on Transporting Prisoners PO 8.20.2 requires the student to identify limitations imposed by law enforcement agencies regarding transportation of prisoners. Policies on these restrictions are agency-specific. General information will be included in the curriculum for PO 9.20.1 (elements of safe transportation).

Tactical Responsibilities of Primary Unit PO 8.21.4 requires the student to identify "tactical" responsibilities of the primary unit responding to a crime in progress. It is not possible to write valid test questions; a multiple choice question does not teach the student to formulate a flexible plan. This information will be included in curricula with existing POs 8.21.1, 8.21.2 and 8.21.3 regarding responding to a crime in progress.

Preparation for Life-Threatening Situation PO 8.37.6 requires the student to identify the mental, emotional, and physical preparation needed for the possibility of a life-threatening situation. This information is more suitable for discussion in curriculum than as a PO. This type of information cannot be evaluated by objective test questions.

Releasing Information to News Media PO 8.41.1 requires the student to identify the most common law enforcement practices regarding release of information to the news media. This information is agency-specific. This PO cannot be uniformly evaluated on a statewide basis.

Latent Fingerprints PO 10.5.1 requires the student to identify the means by which latent fingerprints are located and/or developed. This information is better evaluated in PO 10.5.2 which requires the student to locate a variety of latent and plastic prints.

Identify Evidence PO 10.6.1 requires the student to identify items which should be treated as evidence. The possibility of items of evidence is so broad that it would be impossible to construct objective test questions. This information can be discussed in curriculum with other POs related to evidence.

Investigative Specialties PO 10.9.1 requires the student to identify investigative specialties. This information is agency-specific and cannot be uniformly evaluated on a statewide basis.

Exercises for Preventing Low Back Injury PO 12.2.2 requires the student to identify exercises for preventing low back injury. This PO contains information which is not job-related.

Curriculum Update - Crimes Against Children

Child Abandonment PO 3.21.1 requires the student to identify possible child abandonment. Staff and curriculum consultants recommend that this PO be deleted because a beginning peace officer is not likely to be required to identify that a crime is child abandonment.

Curriculum Update - Traffic:

Lighting Flares PO 9.12.2 is an exercise which requires the student to safely light and extinguish a highway flare. Staff and curriculum consultants recommend that this PO be deleted because it is not necessary for each and every student to light and extinguish a highway flare in order to learn the skill.

CONTENT ADDITIONS:

The following proposed new POs are recommended by POST staff and curriculum consultants for the area of Crimes Against Children:

Reporting Requirements for Child Abuse Incidents Proposed new PO 3.21.11 would require students to identify whether the circumstances are present that would require the officer to report a child abuse incident both by telephone and written report within 36 hours. Staff and curriculum consultants recommend this PO be added because failure to recognize indicators of child abuse and report that abuse immediately and appropriately could result in serious injury to a child.

Failure to Make a Child Abuse Incident Report Proposed new PO 3.21.12 would require the student to identify the crime when an officer fails to make a required report of child abuse. Staff and curriculum consultants recommend the addition of this PO to the basic course because it is important that officers be aware of the high liability for failure to abide by the reporting requirements.

The following proposed PO is recommended by POST staff and curriculum consultants in the area of Traffic:

Pedestrian Violation Proposed new PO 9.4.18 requires the student to identify a possible pedestrian violation. Staff and curriculum consultants recommend this PO because this is a violation which the beginning officer is very likely to encounter and proper handling of this violation is not presently addressed in existing POs.

SUBSTANTIVE CHANGES TO EXISTING POs

Revisions of a substantive nature are proposed to modify the curriculum by amplifying or clarifying the instructional intent of existing POs or modifying a portion of a PO to update case or code references. These

changes differ from "content additions" and "content deletions" in that they do not add new topics or delete existing topics from the curriculum.

Curriculum Update - Crimes Against Children:

Entering Without a Warrant/Possible Abuse PO 3.21.4 is proposed to be modified to delete a reference to the case reference "People v. Beaugez, 232 Cal App 2d 650, 1965". This case law reference is not appropriate to this PO because it does not apply to the issue of entering a private dwelling in response to possible physical abuse, sexual abuse, neglect, or endangerment of a minor.

Curriculum Update - Juvenile Law and Procedure:

Jurisdiction of the Juvenile Court PO 3.41.2 provides useful information, but it is more beneficial to require the student to identify if a juvenile may be subject to juvenile court than it is to memorize the conditions. This PO has been modified to require the student to acquire knowledge which will be more useful to him/her as a peace officer.

Advisement of Constitutional Rights PO 3.41.4 provides useful information but it is more beneficial to recognize a situation when a juvenile must be advised of his/her rights than it is to memorize those rights. This PO has been modified to require the student to acquire knowledge which will be more useful to him/her as a peace officer.

Segregation of Dependent and Delinquent Children from Adult Prisoners PO 3.41.5 provides useful information, but it is more beneficial to have the student recognize a situation when a juvenile must be segregated than it is to memorize the requirements. This PO has been modified to require the student to acquire knowledge which will be more useful to him/her as a peace officer.

Curriculum Update - Traffic:

The following POs are recommended for modification to clarify or update specific Vehicle Code references:

- 9.2.1 Vehicle Code terms
- 9.3.1 Registration violation
- 9.4.2 Hit and Run
- 9.4.3 Traffic control signals and devices
- 9.4.4 Right-of-way violation
- 9.4.11 Vehicle equipment violation
- 9.4.16 Personal safety equipment violation
- 9.4.17 Red signal light violation
- 9.5.1 Driving under the influence

SUMMARY

Deletion from the basic course curriculum is proposed for 22 POs which are agency-specific, redundant with other POs, too subjective, or that contain information which the beginning peace officer does not need. The complete text of POs proposed for deletion for these reasons is found in Attachment A.

Revisions are also proposed relating to the areas of Juvenile Law, Crimes Against Children, and Traffic. These changes are recommended by staff and curriculum consultants to keep the POs contemporary with new laws and information and to improve the clarity of the POs for instruction and testing. The complete text of POs proposed for deletion, addition, or modification is found in Attachment B.

All proposed changes to the basic course performance objectives have been reviewed and endorsed by the Consortium of Basic Course Academy Directors.

It is anticipated that the 560 hours presently required to complete the basic course will not be affected by these proposed changes.

If the Commission agrees that proposed changes be made, it is proposed that the abbreviated public notice process be used. If no one requests a public hearing, these proposed changes would go into effect 30 days after approval by OAL. It is proposed that pursuant to Commission Regulation 1005(a), Performance Objectives to the POST Basic Course be amended to include the recommended revisions. The Regulation and Commission Procedure D-1 are included as attachment C.

RECOMMENDATION

Subject to the results of the proposed Notice of Regulatory Action approve the revisions to Performance Objectives for the POST Basic Course.

**PERFORMANCE OBJECTIVES RECOMMENDED FOR DELETION
BECAUSE OF INABILITY TO TEST**

- 1.6.1 Given a direct question, the student will identify the common satisfactions and dissatisfactions inherent in a law enforcement career.
- A. Common Satisfactions
 - 1. Training
 - 2. Security
 - 3. Service to the public
 - 4. Varied duties
 - 5. Salary and benefits
 - 6. Excitement
 - 7. Advancement opportunities
 - B. Common Dissatisfactions
 - 1. Work assignments
 - 2. Shift work
 - 3. Physical and emotional hazards
 - 4. Organization and communication
 - 5. Report writing
- 1.6.2 Given a direct question, the student will identify the importance of maintaining a balanced, long-term approach to his/her lifestyle in the following areas:
- A. Personal relationships
 - B. Career developments
 - C. Recreational pursuits
- 1.6.3 Given a direct question, the student will identify the potential effects which his/her career choice may have upon the following:
- A. Spouse
 - B. Boyfriend/Girlfriend
 - C. Other Friends
 - D. Parents
 - E. Children
- 2.4.7 Given a direct question, the student will identify the following crime prevention programs:
- A. Neighborhood watch/residential security
 - B. Operation identification/property inventory
 - C. Business crime prevention
 - D. Personal safety/sexual assault prevention
 - E. Youth crime prevention
 - F. Domestic violence/child abuse prevention

- 2.5.1 Given a direct question, the student will identify the following reasons for officer stress:
- A. Rotating shifts
 - B. Anger/Frustration
 - C. Role conflict
 - D. Disagreements with other components of the criminal justice system
 - E. Fear
 - F. Officer Evaluation Criteria
 - G. Time Constraints
- 2.5.2 Given a direct question, the student will identify the following manifestations of stress:
- A. High blood pressure, shortness of breath
 - B. Marked increase in use of coffee, alcohol, tobacco
 - C. Loss of appetite, nausea
 - D. Trembling hands, sweating, dizziness
- 2.5.4 Given a direct question, the student will identify the situations which are likely to cause severe stress or crisis for citizens.
- 5.1.4 Given a direct question, the student will identify the verbal/non-verbal behavior which is indicative of potential hostile actions of people including:
- A. Red flushed face
 - B. Loud voice
 - C. Hyperventilation
 - D. Anger
 - E. Shaking, twitching hands
- 5.2.2 Given a direct question, the student will identify the following types of information that should be entered into field notes:
- A. Suspects (name(s), how many, description)
 - B. Victims, (name(s), statements)
 - C. Witnesses (name(s), statements)
 - D. Date(s) and time(s) of occurrence
 - E. Exact location of occurrence
 - F. Any other important information, i.e., case number, location and chain of evidence, assisting officer's activity, type of incident

- 5.3.2 Given a direct question, the student will identify the following characteristics as essential to a good report:
- A. Accuracy
 - B. Conciseness
 - C. Completeness
 - D. Clarity
 - E. Legibility
 - F. Objectivity
 - G. Grammatically Correct
 - H. Correct Spelling
- 5.3.3 Given a direct question, the student will identify the following questions as those that should be answered by a complete report.
- A. Who
 - B. What
 - C. When
 - D. Where
 - E. Why
 - F. How
- 5.4.4 Given a direct question, the student will identify inappropriate words for police reports. This will minimally include:
- A. Slang (except when quoted)
 - B. Jargon (except when quoted)
 - C. Non-standard abbreviations
- 6.2.4 Given a direct question, the student will identify in the proper sequence the components that make up total stopping distance:
- A. Perception of danger
 - B. Decision/reaction
 - C. Braking
- 8.19.1 Given a direct question, the student will identify the most common limitations imposed by law enforcement agencies regarding the use of restraint devices on the following types of prisoners:
- A. Adult males
 - B. Adult females
 - C. Juveniles
 - D. Mentally ill

- 8.20.2 Given a direct question, the student will identify the most common limitations imposed by law enforcement agencies regarding transportation of prisoners:

This identification will minimally include:

- A. Transportation of adult males/females
- B. Positioning within vehicle
- C. Injured or sick prisoners
- D. Transportation of juveniles
- E. Violent/combatative/hostile prisoners

- 8.21.4 Given a direct question, the student will identify the following "tactical" responsibilities of the primary unit responding to a crime-in-progress:

- A. Formulation of a flexible plan
- B. Coordination of other units

- 8.37.6 Given a direct question, the student will identify the mental, emotional, and physical preparation needed for the possibility of a life-threatening situation.

- 8.41.1 Given a direct question, the student will identify the most common law enforcement practices as to who may release information to the news media and the notification procedures utilized.

- 10.5.1 Given a direct question, the student will identify the means by which "latent fingerprints" are located and/or developed.

- 10.6.1 Given a description of a crime scene, the student will identify those items which should be treated as evidence.

- 10.9.1 Given a direct question, the student will identify the following investigative specialties

- A. Narcotics and vice
- B. Property crimes
- C. Crimes against persons
- D. Juvenile

- 12.2.2 Given a direct question, the student will identify appropriate flexibility and strength exercises for preventing low back injury.

ATTACHMENT B

**PERFORMANCE OBJECTIVES PROPOSED
TO UPDATE BASIC COURSE**

CONTENT DELETIONS

- 3.21.1 Given a word-picture depicting a possible child abandonment, the student will identify if the crime is complete and, if it is complete, will identify it by its common name and crime classification. (Penal Code section 271a)
- 9.12.2 The student will safely light and extinguish a highway flare.

CONTENT ADDITIONS

- 3.21.11 Given a word picture depicting the possible abuse of a child (as defined by Penal Code Section 11165.6), the student will identify whether the circumstances would require an officer who has knowledge of the incident to make an immediate telephonic report and written report within 36 hours to one or both of the following agencies: (a) child protective services (usually located in the County welfare department or probation office), or (b) the district attorney. (Penal Code Sections 11166(a), 11166(e), and 11166(g)).

The reporting requirements are:

- A. Officers who know or reasonably suspect that a child has been abused must report the known or suspected abuse to child protective services immediately or as soon as practically possible and must also provide a written report within 36 hours. (Note: When the abuser is someone responsible for the child's welfare, the investigation is conducted by child protective services. In contrast, when the abuser is a stranger, the investigation is conducted by the local law enforcement agency in the jurisdiction where the offense occurred.)
- B. Officers or their agencies are also required to report every known or suspected instance of child abuse, except general neglect as defined in Penal Code Section 11165.2(b), to the district attorney.

3.21.12 Given a word picture depicting a situation where an officer may have failed to make a required report of child abuse, the student will identify if the crime is complete, and if it is complete, will identify it by its common crime name and crime classification (Penal Code Section 11172(e))

9.4.18 Given a Vehicle Code and a word picture depicting a possible pedestrian violation, the student will identify if a violation has occurred, and if it has occurred, will identify it by its common name or section number. (Vehicle Code Sections 21950, 21951, and 21957).

SUBSTANTIVE CHANGES TO EXISTING POS

3.21.4 Given a word picture depicting possible physical abuse, sexual abuse, neglect, or the endangerment of a minor in a private dwelling, the student will identify if an officer can legally enter without a warrant based on case law (In re Dawn O., 58 Cal App 3d 160, 1976; People v. Payne, 65 Cal App 3d 679, 1977; People v. Brown, 12 Cal App 3d 600, 1970; People v. Sutton, 65 Cal App 3d 341, 1976; ~~People v. Beauger, 232 Cal App 2d 650, 1965~~)

3.41.2 ~~Given a direct question, the student will identify the following conditions under which a juvenile may be subject to the jurisdiction of the Juvenile Court. (Welfare and Institutions Code Sections 300, 601 and 602)~~

Given a word picture depicting a juvenile who may require the supervision or protection of the Juvenile Court, the student will identify if the juvenile is subject to the court's jurisdiction based on the following factors:

- A. has suffered or there is a substantial risk that the minor will suffer serious physical harm from his parents or guardian (Welfare and Institutions Code Section 300 (a))
- B. has suffered or there is a substantial risk that the minor will suffer serious physical harm or illness due to the parent or guardian's inability to provide appropriate supervision, protection, food, clothing, shelter, or medical treatment (Welfare and Institutions code Section 300 (b))
- C. is suffering or is at substantial risk of suffering serious emotional damage due to the conduct of the parent or guardian, or due to the parent or guardian's inability to provide

appropriate care (Welfare and Institutions Code Section 300 (c))

- D. has been sexually abused or there is a substantial risk the minor will be sexually abused by his or her parent or guardian or another member of the household (Welfare and Institutions Code Section 300 (d))
- E. his or her parents are incarcerated or institutionalized and cannot arrange for the care of the minor (Welfare and Institutions Code Section 300 (g))
- F. habitually refuses to obey the reasonable orders or directions of his or her parents, guardian, or custodian or violates a local, age-based curfew (Welfare and Institutions Code Section 601 (a))
- G. is habitually truant or habitually refuses to obey the reasonable orders of school authorities (Welfare and Institutions Code section 601 (b))
- H. violates any law or ordinance other than an age-based curfew (Welfare and Institutions Code Section 601)

3.41.4

~~Given a direct question, the student will identify the conditions under which a minor must be advised of his constitutional rights (i.e., Miranda) when taken into temporary custody by a peace officer. (Welfare and Institutions Code Section 6254 and 627.5)~~

Given a word picture depicting a minor who is taken into temporary custody for one of the following reasons, the student will identify if the conditions are present that would require the officer to advise the minor of his or her constitutional rights (i.e., Miranda), (Welfare and Institutions Code Section 625 and 627.5)

Advisement is required under the following conditions: (Juveniles under Welfare and Institutions Code Sections 601-602).

These conditions are present when the minor is taken into temporary custody for any of the following reasons.

- A. the minor was habitually disobedient or truant
- B. the minor violated a law or ordinance
- C. the minor violated an order of the Juvenile Court
- D. the minor escaped from a commitment ordered by the Juvenile Court

Advisement is NOT required under the following conditions:

- A. The minor has a history of being abused or neglected and is at immediate risk of physical or emotional harm, or sexual abuse
- B. The minor has a history of being abused or neglected and the minor is at immediate risk because of the physical environment or a lack of adequate supervision
- C. The minor is hospitalized and release of the minor to a parent poses an immediate danger to the child's health or safety
- D. The minor is found in a street or public place suffering from any sickness or injury requiring care or treatment
- E. All non-custodial contacts

3.41.5 ~~Given a direct question, the student will identify the following requirements pertaining to the segregation of dependent children of the court and delinquents from adult prisoners. (Welfare and Institutions Code Section 206)~~

Given a word picture depicting a child in the care or custody of the Juvenile Court or a law enforcement officer, the student will identify if the surrounding conditions are consistent with the requirements of the Welfare and Institutions Code as described below:
(Welfare and Institutions Code Section 206)

- A. Dependent children of the court (Welfare and Institutions Code Section 300) may not be brought into direct contact with delinquents (Welfare and Institutions Code Sections 601 or 602)
- B. Minors (dependent children of the court and delinquents) must be separated from adult prisoners at all times. A minor may be held in temporary custody in a building which contains a jail or lockup for the confinement of adults only if the minor is under the continuous supervision of a peace officer and is not allowed to come into contact with adult prisoners.

9.2.1 Given a Vehicle Code and a definition of one of the following terms, the student will identify the term that matches the definition.

- A. Alley (110 VC)
- B. Street (590 VC)
- C. Freeway (332 VC)
- D. Roadway (530 VC)
- E. Sidewalk (555 VC)
- F. Crosswalk (275 VC)
- G. Limit line (377 VC)
- H. Intersection (365 VC)

I. Highway (360 VC)
J. Darkness (280 VC)

- 9.3.1 Given a Vehicle Code and a word picture or visual aid depicting a possible registration violation, the student will identify if a violation has occurred, and if it has occurred, will identify it by its common name or section number. (Vehicle Code Sections 4000, 4000(a), 4159, 4454, 5200, 4454(a), 5200, 5201 and 5204(a)).
- 9.4.2 Given a Vehicle Code and a word picture depicting a possible hit and run accident, the student will identify if a violation has occurred, and if it has occurred, will identify it by its common name or section number and crime classification. (Vehicle Code Sections 20000, ~~-20002~~ 20001(a), and 20002(a))
- 9.4.3 Given a Vehicle Code and a word picture depicting a possible violation of official traffic control signals and devices, the student will identify if a violation has occurred, and if it has occurred, will identify it by its common name or section number. (Vehicle Code Sections ~~21457~~ 21460, 21460.5(a) and 21461(a))
- 9.4.4 Given a Vehicle Code and a word picture depicting a possible vehicle failure to yield the right-of-way violation, the student will identify if a violation has occurred, and if it has occurred, will identify it by its common name or section number. (Vehicle Code Sections 21800 through 21804, ~~21950, 21951, and 219547~~)
- 9.4.11 Given a Vehicle Code and a word picture depicting a possible vehicle equipment violation, the student will identify if a violation has occurred, and if it has occurred, will identify it by its common name or section number. (Vehicle Code Sections 24400, 24603, ~~26453~~ and 27150)
- 9.4.16 Given a Vehicle Code and a word picture depicting a possible ~~unrestrained occupant of a motor vehicle~~ personal safety equipment violation, the student will identify if a violation has occurred, and if it has occurred, will identify it by its common name or section number. (Vehicle Code Sections 23116, 27315, ~~and~~ 27360, and 27803).
- 9.4.17 Given a Vehicle Code and a word picture depicting a possible red signal light violation, the student will identify if a violation has occurred, and if it has occurred, will identify it by its common name or section number. (Vehicle Code Sections 21453 and 21457)

9.5.1

Given a word picture depicting a person driving under the influence of alcohol, drugs or combination thereof, the student will identify a course of action consistent with the following responsibilities of an officer making an arrest for driving under the influence:
(Vehicle Code Section 23157, and 23158.5 (a)(b))

- A. The officer must inform the driver of the choice between a blood, breath, or urine test
- B. The officer must inform the driver of the penalties for failure to submit to a chemical test
- C. The officer must inform the driver of not being entitled to an attorney before or during the chemical test
- D. The officer must inform the driver that the driver must submit to a secondary test of blood or urine if drugs are suspected
- E. The officer may order a chemical test on a driver who is unconscious or otherwise incapable of refusing a test
- F. The officer shall serve a notice of suspension personally on the arrested person as appropriate of the person's privilege to operate a motor vehicle (Admin Per Se)

This language is predicated upon approval by the Office of Administrative Law of the proposed changes to Regulation 1005 adopted at the January 17, 1991 public hearing.)

Commission on Peace Officer Standards and Training

PROPOSED REGULATORY ACTION: AMEND THE DOCUMENT PERFORMANCE OBJECTIVES FOR THE POST BASIC COURSE (1992)

1005. Minimum Standards for Training.

(continued)

(Effective incorporation by reference statements remain unchanged, with the exception of the following:)

The document, Performance Objectives for the POST Basic Course--1989 adopted effective September 26, 1990, and July 1990 Supplement incorporated effective June 29, 1991, September 1990 Supplement incorporated effective June 29, 1991, and January 1991 Supplement incorporated effective * and November 1991 Supplement incorporated effective * , and January 1993 Supplement incorporated effective * are herein incorporated by reference.

*This date to be filled in by OAL.

Note: Authority cited: Sections 13503, 13506 and 13510 Penal Code.
Reference: Sections 832, 832.3, 832.6, 13506, 13510, 13510.5, 13511, 13513, 13514, 13516, 13517, 13520 and 13523, Penal Code.

POST ADMINISTRATIVE MANUAL

COMMISSION PROCEDURE D-1

BASIC TRAINING

Purpose

1-1. Specifications of Basic Training: This Commission procedure implements that portion of the Minimum Standards for Training established in Section 1005(a) of the Regulations which relate to Basic Training. Basic Training includes the Regular Basic Course, District Attorneys Investigators Basic Course, Marshals Basic Course, and Specialized Basic Investigators Course.

Training Content and Methodology

1-2. Requirements for Basic Training Content and Methodology: The minimum content standards for basic training are broadly stated in paragraphs 1-3 to 1-6. Within each functional area, listed below, flexibility is provided to adjust hours and instructional topics with prior POST approval. More detailed specifications are contained in the document "Performance Objectives for the POST Basic Course - 1989".

Successful course completion requires attendance of an entire course at a single academy except where POST has approved a contractual agreement between academies for the use of facilities. The Law Enforcement Code of Ethics shall be administered to peace officer trainees during the basic course. Instructional methodology is at the discretion of individual course presenters. Requirements and exceptions for specific basic courses are as follows:

- a. For the Regular Basic Course specified in paragraph 1-3, requirements for successful course completion are specified here and in the document "Performance Objectives for the POST Basic Course." For academy classes starting prior to October 1, 1992, successful course completion shall be determined using either the "success criteria" method or the "knowledge domain" method, as described below. For academy classes starting on or after October 1, 1992, successful course completion shall be determined using the "knowledge domain" method.

(1) SUCCESS CRITERIA METHOD

Using the "success criteria" method, successful course completion is based upon students meeting the established success criteria specified for all objectives in the document "Performance Objectives for the POST Basic Course." Tracking performance objectives to document student achievement is mandatory; however, the tracking system to be used is optional.

Student success criteria have been established, using a comprehensive field survey, whereby percentiles of 70%, 80%, 90% or 100% were identified for each performance objective. Each student must complete 70% of the performance objectives in the 70 percentile, 80% of those in the 80 percentile, etc. (Note: 100% Performance Objectives are "Must Pass.")

(2) KNOWLEDGE DOMAIN METHOD

Using the "knowledge domain" method, successful course completion is based on passing knowledge domain tests and demonstrating proficiency on psychomotor performance objectives. The Basic Course contains two types of performance objectives: (a) objectives which require the students to demonstrate knowledge, and (b) objectives which require the students to demonstrate psychomotor skills. These performance objectives are described in the document "Performance Objectives for the POST Basic Course."

Requirements for Successfully Completing the Basic Course. To successfully complete the Basic Course, a student must (a) obtain a score on each POST-constructed knowledge domain test which is equal to or greater than the cut score established by POST, and (b) demonstrate, in an exercise or scenario, the

required psychomotor skills associated with each psychomotor performance objective at a level consistent with adequate performance in the field, as judged by the academy. If a student fails a knowledge domain or psychomotor skills test when first tested, the student will be given only one opportunity (except as noted below) to retake the test.

Retaking a Knowledge Domain Test.

Students who fail a knowledge domain test on the first attempt shall be provided with an opportunity to: (a) review their test results in a manner which does not compromise test security; (b) have a reasonable time, established by each academy, to prepare for a retest; and (c) be provided with an opportunity to be retested on the knowledge domain with a POST-constructed, parallel form of the same test. If a student fails the second test, the student shall be dismissed from the academy class in which he or she is currently enrolled unless the student missed instruction relevant to the test in question due to an academy-approved absence, in which case the student may be permitted to retest a second time.

Retaking a Test on a Psychomotor Objective. Students who fail to clearly demonstrate proficiency on a psychomotor objective when first tested (as determined by the academy) shall be provided with an opportunity to be retested. If a student fails to demonstrate proficiency on the objective on the second test, the student shall be dismissed from the academy class in which he or she is currently enrolled unless the student missed instruction relevant to the test due to an academy-approved absence, or the student performed marginally (as determined by the academy), in which case the student may be permitted to retake the test a second time. Marginal test performance is performance that does not clearly demonstrate either proficiency or lack of proficiency on the objective.

Academy Requirements. POST has established minimum training requirements for the Basic Course. However, POST recognizes that academies must respond to the needs of the local law enforcement agencies which they serve and that this may justify additional training requirements or higher performance standards than those mandated by

POST. Regardless of the method used to determine successful completion of the Regular Basic Course (i.e., the "success criteria" or "knowledge domain" method), the POST-developed physical conditioning program must be followed within Functional Area 12.0. Students must pass a POST-developed physical abilities test as described in the POST Basic Academy Physical Conditioning Manual at the conclusion of the conditioning program as a condition for successful course completion. The use of alternatives to the POST-developed physical abilities test is subject to approval by POST. Course presenters seeking POST approval to use alternative tests shall present evidence that the alternative tests were developed in accordance with recognized professional standards, and that alternative tests are equivalent to the POST-developed test with respect to validity and reliability. Evidence concerning the comparability of scores on the POST-developed test and the proposed alternative test is also required.

- b. For basic courses listed in paragraphs 1-4 and 1-5, the performance objectives of the Regular Basic Course are not required but are illustrative only of the content for the broad functional areas and learning goals specified for each of these basic courses. Successful course completion shall be determined by each course presenter.
- c. For the Specialized Basic Investigators Course specified in paragraph 1-6, performance objectives must be taught and tested as specified in the document "Performance Objectives for the POST Specialized Basic Investigators Course, 1991". Successful course completion is based upon students meeting the established success criteria specified for all objectives in this document. Tracking performance objectives to document student achievement is mandatory; however, the tracking system to be used is optional.

1-3. Regular Basic Course Content and Minimum Hours: The Performance Objectives listed in the POST document "Performance Objectives for the POST Basic Course" are contained under broad Functional Areas and Learning Goals. The Functional Areas and Learning Goals are descriptive in nature and only provide a brief overview of the more specific content of the Performance Objectives. The Regular

Basic Course contains the following Functional Areas and minimum hours.

Functional Areas:

1.0 Professional Orientation	11 hours
2.0 Police Community Relations	16 hours
3.0 Law	52 hours
4.0 Laws of Evidence	20 hours
5.0 Communications	32 hours
6.0 Vehicle Operations	24 hours
7.0 Force and Weaponry	54 hours
8.0 Patrol Procedures	125 hours
9.0 Traffic	30 hours
10.0 Criminal Investigation	50 hours
11.0 Custody	4 hours
12.0 Physical Fitness and Defense Techniques	87 hours

Practical Exercise/Scenario Testing 24 hours

Written Examinations: 31 hours

Total Minimum Required Hours
560 hours

1-4. District Attorney Investigators Basic Course Content and Minimum Hours: The District Attorney Investigators Basic Course contains the following Functional Areas and minimum hours. District attorney basic training may be met by satisfactory completion of the training requirements of the Regular Basic Course, plus the satisfactory completion of a certified Investigation and Trial Preparation Course.

Functional Areas:

1.0 Professional Orientation	11 hours
2.0 Police Community Relations	16 hours
3.0 Law	52 hours
4.0 Laws of Evidence	20 hours
5.0 Communications	32 hours
6.0 Vehicle Operations	8 hours
7.0 Force and Weaponry	54 hours
8.0 Custody	4 hours
9.0 Physical Fitness and Defense Techniques	42 hours
*10.0 Field Techniques	79 hours
*11.0 Criminal Investigation and Trial Preparation	50 hours
*12.0 Specialized Investigation Techniques	30 hours
*13.0 Civil Process	20 hours

Practical Exercise/Scenario

Testing
hours

24

Written Examinations 20 hours

Total Minimum Required Hours 462 hours

*Functional Areas that form the basis of the POST-certified 80-hour Investigation and Trial Preparation Course.

1-5. Marshal's Basic Course Content and Minimum Hours: The Marshal's Basic Course contains the following Functional Areas and minimum hours. Marshals basic training may be met by satisfactory completion of the training requirements of the Basic Course, plus the satisfactory completion of a certified Bailiff and Civil Process Course or the Bailiff and Court Security Course and Civil Process Course.

Functional Areas:

1.0 Professional Orientation	11 hours
2.0 Police Community Relations	16 hours
3.0 Law	37 hours
4.0 Laws of Evidence	20 hours
5.0 Communications	32 hours
6.0 Vehicle Operations	8 hours
7.0 Force and Weaponry	54 hours
8.0 Criminal Investigation	24 hours
9.0 Physical Fitness and Defense Techniques	42 hours
*10.0 Field Techniques	79 hours
*11.0 Custody	19 hours
*12.0 Civil Process	60 hours
*13.0 Bailiff	40 hours

Practical Exercise/Scenarios 24 hours

Written Examinations 20 hours

Total Minimum Required Hours 486 hours

*Functional Areas that form the basis for the POST-Certified Bailiff and Civil Process Course or the 40-hour Bailiff and Court Security Course and the 40-hour Civil Process Course.

1-6. Specialized Basic Investigators Course Content and Minimum Hours: The Performance Objectives listed in the POST Document "Performance Objectives for the POST Specialized Basic Investigators Course" are contained under broad Functional Areas and Learning Goals. The Functional Areas and Learning Goals are descriptive in nature and only provide a brief overview of the more specific content of the Performance Objectives. This course includes the

curriculum of the 40-hour P.C. 832 Laws of Arrest and Firearms Course. Specialized Investigators Basic Training may be met by satisfactory completion of the training requirements of the Regular Basic Course.

Functional Areas:

1.0 Professional Orientation	12 hours
2.0 Police Community Relations	16 hours
3.0 Law	42 hours
4.0 Laws of Evidence	18 hours
5.0 Communications	15 hours
*6.0 Deleted	0 hours
7.0 Force and Weaponry	48 hours
8.0 Field Procedures	40 hours
*9.0 (Deleted)	0 hours
10.0 Criminal Investigation	42 hours
*11.0 Custody	1 hours
12.0 Physical Fitness and Defense Techniques	40 hours
13.0 Specialized Investigative Techniques	36 hours
Practical Exercise/Scenario Testing	19 hours
Written Examinations	11 hours
Total Minimum Required Hours	340 hours

*Since the majority of the Specialized Basic Course is taken directly from the Regular Basic Course, it is important that the two numbering systems correspond.

For that reason Functional Areas 6.0 and 9.0 (Vehicle Operations and Traffic, respectively) are shown deleted. Conversely, a new functional area, 13.0 Specialized Investigative Techniques, has been developed for the Specialized Basic Investigators Course.

1-7. Basic Complaint/Dispatcher Course: The Basic Complaint/Dispatcher Course contains the following Functional Areas and minimum hours. This course provides instruction regarding entry-level skills and knowledge to personnel whose duties include receiving emergency calls for service and dispatching law enforcement personnel. With prior POST approval, flexibility shall be granted to adjust hours between functional areas.

Functional Areas:

1.0 Professional Orientation	4 hours
2.0 Administration of Justice	4 hours
3.0 Legal Aspects	16 hours
4.0 Telephone Procedures	10 hours
5.0 Radio Procedures	10 hours
6.0 Dispatch Practicals (Role-play exercise)	12 hours
7.0 Stress Management	6 hours
8.0 Telecommunications	6 hours
9.0 Basic Emergency Medical Services Dispatching	4 hours
10.0 Unusual Incidents	6 hours
Examinations	2 hours
Total Minimum Required Hours	80 hours

Historical Note:

Subparagraph 1-1 adopted and incorporated by reference into Commission Regulation 1005 effective September 26, 1990.

Subparagraph 1-2 adopted and incorporated by reference into Commission Regulation 1005 effective September 26, 1990.

Subparagraph 1-3 adopted and incorporated by reference into Commission Regulation 1005 on April 15, 1982, and amended on January 24, 1985 and September 26, 1990.

Subparagraph 1-4 adopted and incorporated by reference into Commission Regulation 1005 on April 27, 1983, and amended on January 24, 1985 and September 26, 1990.

Subparagraph 1-5 adopted and incorporated by reference into Commission Regulation 1005 on April 27, 1983, and amended on January 24, 1985, January 15, 1987 and September 26, 1990.

Subparagraph 1-6 adopted and incorporated by reference into Commission Regulation 1005 on October 20, 1983, and amended on September 26, 1990.

Subparagraph 1-7 adopted and incorporated by reference into Commission Regulation 1018 on December 29, 1988.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Executive Training and Command College Study		Meeting Date January 21, 1993
Bureau Center for Leadership Development	Reviewed By <i>Doug Thomas</i>	Researched By Doug Thomas
Executive Director Approval <i>Monahan C. Boehm</i>	Date of Approval 12.2.92	Date of Report November 24, 1992
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission accept the report on the study of law enforcement executive training and the Command College?

BACKGROUND

The Commission requested a review of law enforcement executive training and the Command College at its July 16, 1992 meeting. The review was to assess contemporary training needs and examine the overall integration of executive training in view of today's fiscal constraints. The study was also prompted in part by a recent POST field survey that revealed approximately 50% of the respondents strongly support the Command College program while the remaining 50% have some reservations. Some labor associations had also questioned the cost of executive training and the Command College.

It has been nearly nine years since the first class began the Law Enforcement Command College program in January 1984. Since that date, a total of 291 law enforcement managers and executives have graduated from the Command College program in fourteen classes.

ANALYSIS

In order to receive a fresh new look at POST's executive training and the Command College, a group of seventeen law enforcement executives, management and executive trainers was assembled from throughout the country. The study group consisted of representatives from the California Police Chiefs' Association, the California State Sheriffs' Association, the U. S. military, the Federal government, state law enforcement training agencies, and the private sector. A member representing labor was invited but was unable to attend at the last minute.

The study committee met on September 23, 24, and 25, 1992 in Sacramento. The Committee expressed the opinion that overall the executive training program was operating well, but members offered a number of suggestions for improvement.

There was some concern about courses being offered that used the same curriculum for all attendees. For example, attendees at the Executive Development Course (EDC) range from small department sergeants to large department chiefs to a variety of representatives from specialized agencies. In addition, the attendees represent diverse geographical areas from rural to urban. The committee believed that a series of workshops, similar to the series of five Sheriffs' Workshops, would be more appropriate thus attendees could select those workshops that were meaningful to their own areas and positions. The same 80-hours of total instruction would still be required for course completion and award of the Executive Certificate.

The committee believes the Command College program is meeting its goals and should not be modified. Members expressed the opinion that the program should be given more emphasis and that it should form the nucleus for other executive training. The findings of the students' Independent Study Projects should be modified into short training blocks for incorporation into other executive training courses and thus increase the sharing of knowledge generated by the Command College program.

The committee felt that the Command College program was so important that efforts should be made to explore expanding the program to a greater number of public officials.

Lastly, the committee expressed the opinion that a review of training such as this study was a very important function that needed to be repeated every three to five years. The rapidly changing society and the information that it generates makes a periodic review necessary.

The fifteen major recommendations of the study are attached as Appendix 1. The two recommendations which appear to be the most important are the need to redesign the Executive Development Course (EDC) and the need to explore certifying the Command College program to a college or university to expand its presentations and eligibility.

If the study is accepted by the Commission, the recommendation to redesign the EDC could be brought forward at the April 1993 Commission meeting. In addition, the recommendation to certify the Command College program could possibly be ready for the July or October 1993 Commission meeting.

RECOMMENDATION

It is recommended that the Commission accept the executive training and Command College study report with the understanding that recommendations in the report will be brought back to the Commission as developed and prior to any implementation of the recommendations.

Recommendations from the Executive
Training and Command College Study

The following recommendations are presented, with discussion, in the draft report of the Executive Training and Command College Study. The completed study report will be available in early 1993.

Recommendation: POST should review its training courses for inclusion of the commonalities identified above.

Recommendation: Separate New Chief Orientations should be offered for small and large agency chiefs, and procedures should be developed to require results of problem-solving workshops to be forwarded to the POST library.

Recommendation: Sheriffs workshops should be designed to address the varying needs of the diverse regions of the State.

Recommendation: Redesign the Executive Development Course into a series of workshops containing different topics with completion of a portion meeting the requirements of the course.

Recommendation: The Command College Assessment Center needs to be periodically reviewed to incorporate emerging dynamic leadership models and to ensure that the performance measures are consistent with the changing environment.

Recommendation: POST needs to aggressively recruit women and minorities into the Command College program.

Recommendation: The assessment center selection process and its perception needs to be changed so that it is viewed as a assistance center that identifies competencies required for successful completion of the program only, not for selecting future law enforcement leaders.

Recommendation: Modify the Command College goals in the brochure to include reference to community values, developing a vision, and broad-based/holistic futures perspectives.

Recommendation: Convene a meeting with representatives of other futures-forecasting programs and examine and validate curriculum for standardization and uniformity.

Recommendation: Conduct a field survey to determine the interest for an overview course of the Command College curriculum.

Recommendation: Research the feasibility, cost effectiveness, and merits of certifying the presentation of the Command College program to a college or university with the potential for expanded offerings to other fields of public service.


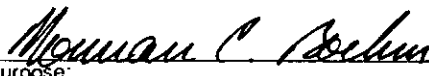
Recommendation: Develop course curriculum utilizing the Command College study findings, thereby focusing on the Command College as the nucleus of management and executive thought and knowledge.

Recommendation: Expand Command College entrance eligibility to non-peace officer managers in law enforcement agencies.

Recommendation: Initiate an evaluation process and explore the feasibility of doing a cost-analysis study for executive training.

Recommendation: Continuing Professional Training requirements should be established for all ranks of law enforcement.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT			
Agenda Item Title Request for Regulation Change for Testing Requirements of P. C. 832 Course		Meeting Date January 23, 1993	
Bureau Training Delivery & Compliance/Standards & Evaluation	Reviewed By 	Researched By Everitt Johnson	
Executive Director Approval 	Date of Approval 1-5-93	Date of Report December 24, 1992	
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No	
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.			
<p><u>ISSUE</u></p> <p>Should the Commission modify Regulation 1080(a)(1)(A) to provide a limited waiver of the requirement that testing of the P.C. 832 Course be administered "immediately" following instruction?</p> <p><u>BACKGROUND</u></p> <p>Pursuant to Section 832(a) of the Penal Code, persons who receive P.C. 832 training as a stand-alone POST certified course or as part of a larger POST-certified course shall demonstrate satisfactory completion of the training by passage of a POST-developed or POST approved examination.</p> <p>Since 1988, the San Diego Sheriff's Department has employed several hundred custodial deputies. These custodial deputies have been trained in the required basic core corrections course as prescribed by Standards and Training for Corrections (STC). They also received the prescribed P.C. 832 training. The San Diego Sheriff's Department at the time of the training did not notify POST of the P.C. 832 training being presented for these custodial deputies as is normal and required by the Commission. In 1992, staff of the San Diego Sheriff's Department discovered this "administrative error" and requested that POST assist them in correcting the oversight.</p> <p><u>ANALYSIS</u></p> <p>Review of curriculum of training presented to San Diego Sheriff's Department custodial deputies indicates that the Commission's required P.C. 832 instruction was presented. The San Diego Sheriff's Department is a qualified presenter of P.C. 832 as well as basic academy training. Given attestation by San Diego Sheriff's Department officials that named employees successfully completed P.C. 832 training, it appears appropriate to certify the training courses previously presented.</p>			

Since July 1, 1989, however, state law and Commission regulations require successful completion of the training to be demonstrated by the trainees' passage of POST prescribed tests. Arrangements for administration of the required written and firearms proficiency tests could be made; however, the language of Commission Regulation 1080(a) (1) (A), requires the tests be administered "immediately" following instruction. In this case, testing would follow training by up to 3-1/2 years and certainly not be immediate.

The immediacy requirement was intended to assure that students were tested before the passage of time might diminish memory and skills. The requirement was enacted without consideration of the possibility of a circumstance as has arisen in San Diego County.

It is proposed that the Commission approve enactment of a regulatory provision allowing for waiver of the immediate testing requirement whenever a retroactive course certification occurs (which is seldom). If the Commission concurs, a notice of Proposed Regulatory action will be submitted to the State Office of Administrative Law (OAL) and publicly noticed. No public hearing will be required unless requested by a member of the public. Upon approval of the regulation change by OAL, POST would arrange for administration of tests to the affected personnel of the San Diego Sheriff's Department.

The proposed regulation and statement of reasons is attached.

RECOMMENDATION

Adopt the regulations as described in this report subject to results of the Notice of Proposed Regulatory Action.

ATTACHMENT

Proposed Regulations additions underlined:

1080 P.C. 832 Course Testing Requirements

- (a) Pursuant to Section 832(a) of the penal Code, persons who receive P.C. 832 training as a stand-alone POST-certified course or as part of a larger POST-certified course shall demonstrate satisfactory completion of the training by passage of a POST-developed or POST-approved examination or examinations. Passage of a written examination shall be required for the arrest procedures curriculum; passage of a skills examination shall be required for the firearms curriculum. This regulation does not apply to persons who satisfactorily complete the POST Regular Basic course.

(1) Examination Procedures:

- (A) All original examinations required by this section shall be administered immediately following the conclusion of the required P.C. 832 instruction in POST-certified courses.

- (E) The Commission may waive the requirement that all original examinations be administered immediately following the conclusion of training in those instances where the training is certified retroactively and the examinations were therefore not administered as part of the training.

Proposed language for statement of reasons:

On rare occasions, the Commission certifies training after the fact (i.e., after the training has been presented). Recently, such a request was received from a law enforcement agency in the POST program. The request was for PC 832 certification for training that was provided by the agency to several hundred employees during the last several years. Commission certification was not requested at the time of the training, because the agency erroneously believed that PC 832 training was not required for the employees in question, and thus that Commission certification was not necessary.

Staff review of the agency's training program indicates that the instruction received by the employees exceeds the current PC 832 training requirements as specified in Commission Regulation 1081(a)(1), and that the training meets all criteria for Commission certification pursuant to Commission Regulation 1055. However, due to the language of Commission Regulation 1080(a)(1)(A), the Commission is prohibited

from permitting those who received the training from now taking the required PC 832 examinations for purposes of determining successful course completion. The net result is that in the absence of the proposed new Regulation 1080(a)(1)(E), each affected employee will be required to repeat PC 832 training as a condition of continued employment, and the cost to the agency to provide the training will run in the hundreds of thousands of dollars.

At the time Regulation 1080(a)(1)(A) was enacted, it was reasoned that it was necessary to require testing immediately following instruction to: (1) ensure the greatest opportunity for trainees to pass the tests, and (2) spare the trainee from any unnecessary hardship that would be associated with appearing at a later date for testing and/or traveling to a different location for testing. These reasons continue to be valid. However, as demonstrated by the above example, in those instances where PC 832 training is certified retroactively, the provisions of Regulation 1080(a)(1)(A) serve to prohibit the trainee from testing for purposes of demonstrating satisfactory completion of the training, and thus necessitate that the trainee repeat the training in order to qualify for testing. Thus, under these limited circumstances, the hardship imposed on the trainee by the provisions of Regulation 1080(a)(1)(A) is far greater than the hardship that would be imposed on the trainee if the provisions of Regulation 1080(a)(1)(A) were waived. Proposed Regulation 1080(a)(1)(E) establishes this waiver.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Approval of Contract with Los Angeles Sheriff's Department for Special Consultant		Meeting Date January 21, 1993
Bureau Executive	Reviewed By	Researched By Staff
Executive Director Approval <i>William C. Boehm</i>	Date of Approval 1-6-93	Date of Report January 6, 1993
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission authorize a contract with the Los Angeles Sheriff's Department to employ a Special Consultant in an amount not to exceed \$108,727.08.

BACKGROUND

In 1989 ACR 58 requested the POST Commission study a variety of issues relating to improvements in law enforcement training. The resulting study focused on application of technology in training delivery, but also concluded that additional study should be made of technology and the need for regional skill training centers. As a result of this study and the Commission's report to the Legislature, AB 492 was passed enacting Penal Code Section 13508. PC 13508 requires the Commission to report to the Legislature by January 1, 1995 regarding its pilot programs in the use of technology and its recommendations regarding regional skill training centers. The study was also to include a report and recommendation on costs and funding alternatives. A copy of PC 13508 is attached.

ANALYSIS

POST currently has a number of vacant Law Enforcement Consultant positions and is experiencing recruitment difficulties. A significant amount of work will be required to prepare the required report to the Legislature.

Lt. James Holts, Los Angeles Sheriff's Department, previously worked for POST as a Special consultant (1985-1988) evaluating training technologies and doing preliminary work on skill training center needs. Lt. Holts is currently available and his department is willing to contract with POST for his services. A contract for Lt. Holts' services would be highly advantageous due to the current staff shortage and his familiarity with POST and the issues surrounding the project.

If the Commission concurs, it would appear desirable to contract with the Los Angeles County Sheriff's Department for Lt. Holts' services. He would remain on the Sheriff's Department payroll with salary and benefits reimbursed through the contract. While an initial contract would be for one year, it would be entered into with an understanding that unless circumstances change, it would be continued for a second year.

RECOMMENDATION

Authorize the Executive Director to sign a contract with LASD for services of a Special Consultant in an amount not to exceed \$108,727.08.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083



FINANCE COMMITTEE MEETING
January 20, 1993 - 2:30 P.M.
Red Lion Hotel
Carmel Room
2050 Gateway Place
San Jose, CA 95110
(408) 453-4000

A G E N D A

A. CALL TO ORDER

B. Review of Quarterly Financial Report and Reimbursement Rates

The second quarter 1992/93 Financial Report, along with expenditure and revenue projections will be provided at the meeting.

Quarterly financial reports are provided to show the fiscal status of the Commission's reimbursement program. The report summarizes revenue receipts, training volumes, and reimbursement expenditures during the fiscal year. Data contained in the reports are reviewed by the Finance Committee to assess resources available in considering program modifications.

Analysis is being completed on current salary reimbursement and trainee per diem rates. The Committee, after reviewing fund projections and analysis, may wish to recommend adjustments in these rates.

C. Report on Reimbursement Shift - Salary to Presentation Costs

At its October meeting the Commission reviewed a report on an alternative reimbursement program. This was initially raised by the Finance Committee when concern was expressed about legislative pressure over local assistance (salary reimbursement) funds in the POST budget. The alternative before the Commission would eliminate salary reimbursement and disburse that same money on the basis of preparing and presenting training.

The Commission asked that this matter be brought back at the January meeting. In the interim, staff was to contact CPOA, CSSA, and CPCA, as well as other local chiefs' and sheriffs' associations as time permitted.

Since the October meeting, presentations have been made to CPCA, CPOA, and CSSA. In addition, presentations have been made to Los Angeles County Chiefs and Orange County Chiefs in the south as well as two chiefs' associations in northern California. On November 4 a meeting was hosted by POST to discuss this issue with a group of chiefs and sheriffs representing large and small, as well as urban and rural, agencies. Generally these executives recognize the pressure on salary reimbursement and local assistance in the state budget process. For the most part, they agree that this proposed alternative reimbursement plan would refocus the attention from reimbursement on the basis of salary to reimbursing for training developed and presented. Certainly some individuals expressed desire that salary reimbursement be retained, but it was pointed out that if there were not pressures on the funds the Commission would not be considering alternatives.

A report on this alternative is being prepared specifically outlining the new formula and will be distributed at the meeting. The matter is before the Committee for discussion and formulation of recommendation to the Commission.

D. Proposed Contracts to be Negotiated for Fiscal Year 1993/94

Items D. 1-13 represent the contracts anticipated for 1993/94. If the Committee concurs, the appropriate action would be to recommend to the full Commission that the Executive Director be authorized to negotiate the contracts and return them to the Commission at its April 1993 meeting for approval.

Training Contracts

1. This course is presently budgeted at \$327,258 for 22 presentations spread among five presenters:

California State University - Humboldt
California State University - Long Beach
California State University - Northridge
California State University - San Jose
San Diego Regional Training Center

Course costs are consistent with Commission guidelines, and performance by all five presenters has been satisfactory. Staff anticipates modest increases over FY 1992/93 due to increased costs for instructors, coordination, facilities, and materials. No additional presenters or presentations are planned for FY 1993/94.

2. San Diego Regional Training Center for support of Executive Training (e.g., Command College, Executive Training, and Executive Seminars)

The San Diego Regional Training Center serves as the chief contractor for a variety of training activities of the Commission conducted by the Center for Leadership Development. Curriculum development as well as instructional and evaluation costs for these training activities for FY 1992/93 was \$562,166. Staff anticipates only modest increased costs in the 1993/94 contract.

3. CSU Long Beach for support of the Supervisory Leadership Institute

The CSU Long Beach Foundation provides administrative services for the Supervisory Leadership Institute. This includes training site support, ordering materials, paying instructors and auditors, and purchasing/maintaining equipment. Costs for these services in FY 1992/93 were \$403,873 for six classes running continuously throughout the year. Staff anticipates only modest increased costs in FY 1993/94.

4. Department of Justice Training Center

The Department of Justice has provided training to local law enforcement each year thorough an Interagency Agreement with POST since 1974. The Commission approved a current year contract in an amount not to exceed \$928,109.

Approval is requested to negotiate a similar agreement for Fiscal Year 1993/94. Staff anticipates that any presentation cost increases will be offset by the cancellation of existing courses or reducing course presentations where appropriate. The overall contract amount is expected to not exceed the 1992/93 total.

5. San Diego State University for 12 satellite video broadcasts

POST currently has an interagency agreement with San Diego State University for \$54,000 for the assembly and transmission of 12 videotape training programs during 1992/93. It is recommended that this interagency agreement be continued for similar services during 1993/94.

Approval is requested to negotiate a new contract with San Diego State University, or other units of the California State University System, for 12 satellite broadcasts.

6. Alameda County District Attorney's Office and Golden West College for Case Law Update Video Production.

POST currently has contracts with Alameda County District Attorney's Office and Golden West College for \$52,000 for the production of 24 Case Law Update programs each during 1992/93. It is requested that these contracts be continued with similar amounts for similar services during 1993/94.

Approval is requested to negotiate new contracts with Alameda County District Attorney's Office and Golden West College for 24 programs from each producer.

7. 1993/94 Telecourse Programs

POST will have developed and delivered ten telecourse programs and two specialized training films during Fiscal Year 1992/93. The current contract for these 12 programs is with the San Diego State University for a cost not to exceed \$420,000, based on an average of \$35,000 to \$38,000 per program.

It is proposed to maintain the distance learning telecourse program at the same level for the 1993/94 Fiscal Year. The total cost of the telecourse programs would be approximately \$420,000.

Approval is requested to negotiate and enter into interagency agreement(s) with the San Diego State University for production and uplinking of 12 telecourse training broadcasts in an amount not to exceed \$420,000.

Standards Contracts

8. Cooperative Personnel Services for Basic Course Proficiency Exam

POST has contracted with Cooperative Personnel Services for administration of the POST Proficiency Examination each of the last ten

years. The current year contract is for \$33,521. The proposed contract for FY 1993/94 is not expected to exceed this amount.

Approval is requested to negotiate a similar contract with Cooperative Personnel Services for FY 1993/94 for an amount not to exceed \$33,521.

9. Interagency Agreement with Cooperative Personnel Services for Entry-Level Reading and Writing Test Battery

POST has contracted with Cooperative Personnel Services for administration of the POST entry-level reading and writing test battery since 1983. The current year contract is for \$98,375. Owing to a significant reduction in testing volume, actual expenditures for FY 1992/93 are not expected to exceed \$75,000. The proposed contract for FY 1993/94 is for an amount not to exceed \$75,000 and assumes that testing volume will remain unchanged from the current fiscal year.

Approval is requested to negotiate a similar contract with Cooperative Personnel Services for FY 1993/94 for an amount not to exceed \$75,000.

10. Interagency Agreement with Cooperative Personnel Services for P.C. 832 Written Examination

POST has contracted with Cooperative Personnel Services for administration of the P.C. 832 Written Examination since 1989. The current year contract is \$78,472. The proposed contract for FY 1993/94 is not expected to exceed this amount.

Approval is requested to negotiate a similar contract with Cooperative Personnel Services for FY 1993/94 for an amount not exceed \$78,472.

Administrative Contracts

11. State Controller's Office for agreement for Auditing Services

Each year POST has negotiated an Interagency Agreement with the State Controller's Office to conduct audits of selected local jurisdictions which receive POST reimbursement funds. The Commission approved an agreement not to exceed \$85,000 for the current fiscal year.

Approval is requested to negotiate a similar agreement to maintain current level of service for FY 1993/94.

12. Interagency Agreement with Teale Data Center for Computer Services

Each year POST has negotiated an Interagency Agreement with Teale Data Center (as state agency) for computer services. The contract provides a link between POST's computer and the Data Center's mainframe computer. This allows data processing jobs and the storage of large data files that require more resources than POST's minicomputer can provide. The current year contract is for \$89,000.

Approval is requested to negotiate an Interagency Agreement with the Teale Data Center for computer services in 1993/94 for an amount similar to the current year's costs.

13. CALSTARS Contract

The mandated California Accounting and Reporting Systems (CALSTARS) requires an agreement with the Health and Welfare Data Center to provide computer linkage and necessary data processing services. The Commission approved a current year contract in an amount not to exceed \$25,000.

Approval is requested to negotiate a similar agreement to maintain the current level of required services for FY 1993/94.

E. Reimbursement Rates for Satellite Antennas and IVD Equipment

Assuming the Commission adopts regulations to reimburse for the equipment, related Commission action will be to set the rates of reimbursement. A report and proposal is before the Commission as Item F on the regular agenda. The matter is before the Finance Committee for review and recommendation.

F. Contracts

Included on the regular Commission agenda are the following items requesting authority for contract expenditures this fiscal year:

1. Contract with individual community college presenters of the Basic Course to provide satellite receivers at the training facilities

It is proposed that each academy be provided with a receiver to facilitate presentation of telecourses and the recording and distribution of training materials. Costs would be restricted to the rate set by the Commission for reimbursing participating agencies. There are 20 community colleges. Total cost would not exceed \$60,000 (assuming \$3,000 per receiver).

2. Request for Proposal to develop IVD training course on Drug/Alcohol Recognition

This proposal is for authority to spend up to \$400,000 for development of the IVD course. Due to current high volume of training in this area, significant future savings for POST and participating agencies is expected.

3. Development of video-based report writing training program for the Basic Course

This proposal is for up to \$93,750 for videotape production, up to \$25,000 for a Special Consultant, and up to \$9,000 for services of a language instructor specialist. Total costs would not exceed \$127,750.

4. Contract for services of a Special Consultant to develop report to the Legislature

Penal Code Section 13508 requires the Commission to conduct a study and engage in pilot programs on application of technology to training, study the feasibility of regional skill training centers, and develop a plan for the acquisition of equipment and facilities. This proposal is for a contract with the Los Angeles Sheriff's Department for the services of a Sheriff's Lieutenant who would do a major portion of this work for POST. One year costs would not exceed \$108,727.08. (In the future, a recommendation to extend the contract for a second year is likely, as this will almost certainly be a two-year study.)

5. Contract to purchase additional courseware sets supporting the P.C. 832 IVD Course

The P.C. 832 IVD course was made available to presenters in 1989. POST's inventory of courseware has been depleted and demand for courseware continues. It is proposed that the Commission authorize purchase of 50 additional sets of courseware at a cost not to exceed \$26,000.

As is customary, contract proposals are presented to the Finance Committee for review and recommendations to the full Commission.

G. Report on Public Safety Training Committee

A meeting of representatives of law enforcement, corrections, the fire service, and community colleges will be held in San Jose on January 19, 1993. Purpose of the meeting is to explore common interests in funding of essential public safety training. A report on results of this meeting will be made to the Finance Committee for information and for consideration of any recommendations that might appear warranted.

H. ADJOURNMENT

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Management Course Contracts Fiscal Year 1993/94		Meeting Date January 21, 1993
Bureau Center for Leadership Development	Reviewed By <i>Doug Thomas</i>	Researched By Beverley Short
Executive Director Approval <i>Morgan C. Belcher</i>	Date of Approval 12-1-92	Date of Report November 20, 1992
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue

Commission review and approval of Management Course contracts as proposed for Fiscal Year 1993/94 are required to authorize the Executive Director to negotiate contract with presenters.

Background

These courses are currently budgeted at \$327,258 for twenty-two (22) presentations by five (5) presenters:

California State University - Humboldt
California State University - Long Beach
California State University - Northridge
California State University - San Jose
San Diego Regional Training Center - San Diego

No other educational institutions have expressed interest in presenting the Management Course. In addition, there are two (2) certified Management Course presenters who offer training to their own personnel at no cost to the POST fund:

California Highway Patrol
State Department of Parks and Recreation

Analysis

Course costs are consistent with POST tuition guidelines. Required learning goals are being satisfactorily presented by each contractor.

It is estimated that twenty-two (22) presentations will again be required in FY 1993/94. Staff anticipates some increases over FY 1992/93 due to increased costs for instructors, coordination, facilities, and materials, although no additional presentations are expected.

Recommendation

Authorize the Executive Director to negotiate new contracts to be returned to the Commission at the April 1993 meeting.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Command College and Executive Training Fiscal Year 1993/94		Meeting Date January 21, 1993
Bureau Center for Leadership Development	Reviewed By <i>Doug Thomas</i>	Researched By Beverley Short
Executive Director Approval <i>Morgan C. Boehm</i>	Date of Approval 12-1-92	Date of Report November 20, 1992
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue

Commission review and approval of the Command College and Executive Training contract for fiscal year 1993/94 are required to authorize the Executive Director to negotiate with the presenter.

Background

Since the inception of the Command College in 1984, the Commission has approved a contract with San Diego Regional Training Center to provide the services of faculty, facilitation, coordinators, facilities, materials, course development, and related activities for the Command College and seminars for chiefs sheriffs, and senior law enforcement managers. Additionally, beginning with the 1992/93 fiscal year, the Commission approved the costs of administering and presenting the Executive Development Course to be included in the executive training contract.

Each year, two Command College classes graduate and two classes begin the two-year program. During the 1993/94 Fiscal Year, 19 Command College workshops will be presented for Classes 17, 18, 19, 20, and 21.

Executive training has been designed to meet the stated needs of chiefs, sheriffs, and senior managers. In 1993/94, CLD staff will develop, coordinate, and present 25 executive seminars.

The Executive Development Course is presented in two modules of 40 hours each. The course is held in both the northern and southern part of the state for the convenience of the participants and to further conserve on travel and per diem reimbursement costs. During 1992/93 fiscal year, five presentations were approved by the Commission for a total cost of \$105,850. During the 1993/94 fiscal year, five presentations will also be needed to meet the high demand for this training for law enforcement executives and their next-in-command officers.

The total contract costs for the Command College, management and executive training seminars, and the Executive Development Course for F.Y. 1992/93 is \$562,166.

Analysis

Funds will be needed to support the on-going programs of the Command College, management and executive training, and the Executive Development Course.

Recommendation

Authorize the Executive Director to negotiate a new contract to be returned for Commission approval at the April 1993 meeting.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Supervisory Leadership Contract Fiscal Year 1993/94		Meeting Date January 21, 1993
Bureau Center for Leadership Development	Reviewed By <i>Doug Thomas</i>	Researched By Tom Hood
Executive Director Approval	Date of Approval	Date of Report November 20, 1992
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue

Commission review and approval of the Supervisory Leadership Contract as proposed for Fiscal Year 1993/94 are required to authorize the Executive Director to negotiate a contract with CSU Long Beach.

Background

The Commission approved three classes of the Supervisory Leadership Institute (SLI) for Fiscal Year 1988/89 and four classes commencing FY 1989-90. Beginning the 1990-91 FY the Commission approved six classes to run continuously.

The Commission approved a contract with CSU Long Beach to assist in the development and administration of the program.

Analysis

The 1992/93 contract costs of \$403,873 are consistent with similar management and executive training programs administered by POST. Plans are to continue six classes in FY 93/94. This will require the continuing search for and development of a total of 12 instructors to meet the need of team instruction and courses being presented simultaneously. It is anticipated there will be minor increased costs for administrative services for FY 1993/94.

Recommendation

Authorize the Executive Director to negotiate a new contract to be returned for Commission approval at the April 1993 meeting.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title POST/DOJ Interagency Agreement for Training		Meeting Date January 23, 1993
Bureau Training Delivery & Compliance Bureau	Reviewed By Ronald T. Allen <i>RIA</i>	Researched By Bob Spurlock <i>RS</i>
Executive Director Approval <i>Morgan C. Belton</i>	Date of Approval <i>11-25-92</i>	Date of Report November 25, 1992
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUES

The Commission and the Department of Justice Advanced Training Center have provided training to local law enforcement agencies during Fiscal Year 1992-93 through an Interagency Agreement.

BACKGROUND

The Department of Justice has been contracting with POST to provide training to local law enforcement agencies since 1974. During Fiscal Year 1992-93, the amount allocated to this training was \$928,109. For this amount the Department of Justice presented 19 separate courses.

The Department of Justice is agreeable to conduct a similar training program in Fiscal Year 1993-94.

RECOMMENDATION

Authorize the Executive Director to negotiate a similar agreement with the Department of Justice for Fiscal Year 1993-94.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Contract Authority to Broadcast Video Training Tapes		Meeting Date January 21, 1993
Bureau Training Program Services	Reviewed By Otto Saltenberger	Researched By Bill Masters
Executive Director Approval <i>William C. Behm</i>	Date of Approval 11-23-92	Date of Report November 11, 1992
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission authorize the Executive Director to negotiate an interagency agreement with San Diego State University or other public entities to assemble and broadcast twelve videotape training programs during Fiscal Year 1993-94.

BACKGROUND

At its April 9, 1992 meeting, the Commission approved a \$54,000 contract with San Diego State University for twelve satellite broadcasts of videotape training programs during 1992-93. Seven of the broadcasts have been completed with the remaining five scheduled for one each month through June 1993. The broadcasts are being recorded and used by law enforcement agencies for training of their personnel. Feedback from the field continues to be highly commendatory, and the Commission has been encouraged to continue this program.

ANALYSIS

Broadcasting of training programs via satellite has proven to be an effective method of delivery. Each two-hour broadcast contains at least five agency-produced videotapes and four segments of Case Law Updates, two each produced by the Alameda County District Attorney's Office and Golden West College. Over 250 tapes have been presented via satellite since the series began in December of 1988. This method of distribution has greatly expanded the use of existing videotaped material and helped to improve the effectiveness of training programs overall.

RECOMMENDATION

It is recommended that the Executive Director be authorized to negotiate a new contract with San Diego State University, or other units of the California State University System, for the assembly and transmission of twelve training tape satellite broadcasts.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Contract Authority to Produce Case Law Update Satellite Programs		Meeting Date January 21, 1992
Bureau Training Program Services	Reviewed By Otto Saltenberger <i>[Signature]</i>	Researched By Bill Masters
Executive Director Approval <i>[Signature: Monahan C. Boehm]</i>	Date of Approval 11-23-92	Date of Report November 11, 1992
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission authorize the Executive Director to negotiate contracts with Alameda County District Attorney's Office and Golden West College to produce 24 Case Law Update training programs each during Fiscal Year 1993-94?

BACKGROUND

At its April 9, 1992 meeting, the Commission approved \$52,000 for contracts with Alameda County District Attorney's Office and Golden West College for the production of 24 Case Law Update training programs each during 1992-93. Fourteen programs from each producer have been included in monthly POST videotape training broadcasts so far, with ten from each producer scheduled for use during the remainder of this fiscal year. The reaction to the new segments has been favorable, and the Commission has been encouraged to continue this program.

ANALYSIS

Case Law Updates were added to POST satellite broadcasts to provide current information on recent court decisions to all California law enforcement agencies. The presenters include three assistant district attorneys and an Orange County Superior court judge. The subject matter has been coordinated by POST staff to avoid duplication of production efforts. Cases chosen are recent and applicable to the needs of the law enforcement community. The addition of these updates has greatly increased the effectiveness of the videotape training broadcasts.

RECOMMENDATION

It is recommended that the Executive Director be authorized to negotiate new contracts with the Alameda County District Attorney's Office and Golden West College for the production of 24 Case Law Updates each during the 1993-94 fiscal year.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Authority to Negotiate Contracts for the 1993-94 Telecourse Programs		Meeting Date January 23, 1992
Bureau Training Program Services	Reviewed By Otto Saltenberger <i>[Signature]</i>	Researched By Ray Bray
Executive Director Approval <i>[Signature]</i>	Date of Approval 11-25-92	Date of Report November 17, 1992
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission authorize the Executive Director to negotiate an interagency agreement with San Diego State University or other public entities for distance learning telecourses for Fiscal Year 1993-94?

BACKGROUND

During Fiscal Year 1992-93, POST will have produced and presented a total of ten telecourses and two specialized training films. The costs for producing these programs will not exceed the costs allocated for the current fiscal year of \$420,000. It is proposed to maintain the distance learning telecourse program at the same level for the 1993-94 Fiscal Year. Average production costs remain at \$35,000 to \$38,000 per program.

ANALYSIS

The production and presentation of satellite telecourses has proven to be a valuable, effective training medium. The law enforcement community has enthusiastically accepted the medium, as evidenced by positive evaluations and many unsolicited calls requesting specific topics for future broadcasts. The potential expansion of downlink receiver sites, as proposed in the public hearing to reimbursement for the purchase of satellite antennas, will ensure that the telecourse program will continue to meet the needs of the field.

Subject matter for the planned telecourse programs is drawn from a variety of contemporary law enforcement issues and from crucial topics that have surfaced during the recent Symposium on Training Issues conducted in 1991 and 1992.

San Diego State University's KPBS Public Broadcasting has provided POST with excellent production capability. Their management, script writers, producers, directors, and camera operators have adapted well and support POST's demand for high quality law enforcement programming.

To provide the flexible scheduling necessary for proposed telecourses, staff is requesting authority to negotiate terms for a new contract with San Diego State University or other public entities, to provide production and uplink transmission facilities for twelve proposed telecourses in Fiscal Year 1993-94.

RECOMMENDATION

Authorize the Executive Director to negotiate a new contract for telecourse production services.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Administration of POST Proficiency Examination		Meeting Date January 21, 1993
Bureau Standards & Evaluation	Reviewed By	Researched By John Berner <i>JB</i>
Executive Director Approval <i>Thomas C. Behm</i>	Date of Approval 12-17-92	Date of Report November 24, 1992
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Continuation of the POST contract with Cooperative Personnel Services (CPS) to administer the POST Proficiency Examination.

BACKGROUND

Penal Code Section 832(b) requires POST to develop and administer a basic training proficiency test to all academy graduates. POST has contracted with Cooperative Personnel Services (CPS) for the administration of the examination each of the last ten years.

ANALYSIS

CPS has done an acceptable job of administering the POST Basic Course Proficiency Examination. Moreover, CPS can administer the examination for less than it would cost if POST staff were to assume this function.

The amount of the fiscal year 1992/93 contract is \$33,521. Although testing volume is expected to decrease, the proposed contract for fiscal year 1993/94 will approximate this amount. Trial items for possible inclusion in a new form of the exam will be pilot tested during this time, and the costs associated with printing and administering the pilot test materials will approximately offset the savings resulting from the anticipated reduction in the number of persons tested.

RECOMMENDATION

Authorize the Executive Director to negotiate a contract with CPS for administration of the POST Proficiency Examination during fiscal year 1993/94 for an amount not to exceed \$33,521.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Administration of POST Entry-Level Reading and Writing Test Battery		Meeting Date January 21, 1993
Bureau Standards & Evaluation	Reviewed By	Researched By John Berner <i>[Signature]</i>
Executive Director Approval <i>Thomas P. Boehm</i>	Date of Approval 12-17-92	Date of Report November 24, 1992
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Continuation of the POST contract with Cooperative Personnel Services (CPS) to administer the POST entry-level reading and writing test battery.

BACKGROUND

Since 1983, the Commission has authorized that the POST entry-level test battery be made available to agencies in the POST program at no cost. During this period, all test administration services associated with the testing program have been provided under contracts with CPS.

ANALYSIS

All contract services provided by CPS have been acceptable, and POST lacks the staff to perform these services. The 1992/93 fiscal year contract amount is \$98,375. Owing to a significant reduction in testing volume, actual expenditures for fiscal year 1992/93 are not expected to exceed \$75,000. The proposed contract for fiscal year 1993/94 is for an amount not to exceed \$75,000 and assumes that testing volume will remain unchanged from the current fiscal year.

RECOMMENDATION

Authorize the Executive Director to negotiate a contract with CPS for administration of the POST test battery during fiscal year 1993/94 for an amount not to exceed \$75,000.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Administration of POST Entry-Level Reading and Writing Test Battery		Meeting Date January 21, 1993
Bureau Standards & Evaluation	Reviewed By	Researched By John Berner <i>JP</i>
Executive Director Approval <i>M. C. Bohm</i>	Date of Approval	Date of Report November 24, 1992
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Continuation of the POST contract with Cooperative Personnel Services (CPS) to administer the POST entry-level reading and writing test battery.

BACKGROUND

Since 1983, the Commission has authorized that the POST entry-level test battery be made available to agencies in the POST program at no cost. During this period, all test administration services associated with the testing program have been provided under contracts with CPS.

ANALYSIS

All contract services provided by CPS have been acceptable, and POST lacks the staff to perform these services. The 1992/93 fiscal year contract amount is \$98,375. Owing to a significant reduction in testing volume, actual expenditures for fiscal year 1992/93 are not expected to exceed \$75,000. The proposed contract for fiscal year 1993/94 is for an amount not to exceed \$75,000 and assumes that testing volume will remain unchanged from the current fiscal year.

RECOMMENDATION

Authorize the Executive Director to negotiate a contract with CPS for administration of the POST test battery during fiscal year 1993/94 for an amount not to exceed \$75,000.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Administration of POST PC 832 Written Exam		Meeting Date January 21, 1993
Bureau Standards & Evaluation	Reviewed By	Researched By John Berner <i>YCS</i>
Executive Director Approval <i>Norman C. Belton</i>	Date of Approval 12-17-92	Date of Report November 24, 1992
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Continuation of POST contract with Cooperative Personnel Services (CPS) to administer the POST PC 832 written examination.

BACKGROUND

Penal Code Section 832(a), which went into effect July 1, 1989, requires that persons must pass a POST-developed or POST-approved examination to successfully complete the PC 832 course. POST has contracted with CPS to administer the PC 832 written examination each of the last four years.

ANALYSIS

CPS has done an acceptable job of administering the examination. The amount of the 1992/93 fiscal year contract is \$78,472. The proposed contract for fiscal year 1993/94 is not expected to exceed this amount, and assumes that testing volume will remain unchanged from the current fiscal year. (If volume decreases, actual contract costs will also decrease.)

RECOMMENDATION

Authorize the Executive Director to negotiate a contract with CPS for administration of the POST PC 832 written exam during fiscal year 1993/94 for an amount not to exceed \$78,472.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title State Controller's Office Agreement for Auditing Services		Meeting Date January 21, 1993
Bureau Administrative Services Bureau	Reviewed By <i>[Signature]</i> Frederick Williams	Researched By Staff
Executive Director Approval <i>[Signature]</i>	Date of Approval 12-18-92	Date of Report December 15, 1992
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Continuation of the Commission on Peace Officer Standards and Training agreement with the State Controller's Office to provide auditing services.

BACKGROUND

Each year for the past several years, the Commission on Peace Officer Standards and Training has negotiated an Interagency Agreement with the State Controller's Office to conduct necessary audits of selected local jurisdictions which receive POST reimbursement funds.

ANALYSIS

The State Controller's Office continues to do an acceptable job in conducting the audits of several selected jurisdictions yearly to assure that reimbursement funds are being appropriately expended.

The Commission approved an agreement not to exceed \$85,000 for the current fiscal year. Approval is requested to negotiate a similar agreement for Fiscal Year 1993/94 for an amount to maintain current level of service.

RECOMMENDATION

Authorize staff to negotiate an interagency agreement with the State Controller's Office for services during Fiscal Year 1993/94.

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Interagency Agreement with Teale Data Center		Meeting Date January 21, 1993
Bureau Information Services	Reviewed By Glen Fine	Researched By Darrell Stewart <i>DS</i>
Executive Director Approval <i>Monica C. Belton</i>	Date of Approval 12-17-92	Date of Report December 15, 1992
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		
<p><u>ISSUE</u></p> <p>Authorize the Executive Director to negotiate an Interagency Agreement with the Teale Data Center for Fiscal Year 1993/94, for computer services.</p> <p><u>BACKGROUND</u></p> <p>POST has an Interagency Agreement with Teale Data Center (a State Agency) for computer services. The contract provides for a link between POST's computer and the Data Center's mainframe computer. This allows POST to utilize the mainframe's power for complex data processing jobs and the storage of large data files that require more resources than POST's minicomputer or PCs can provide. The data center staff also provide communications and LAN support and consulting services. The current year contract is for \$89,000.</p> <p><u>ANALYSIS</u></p> <p>POST uses the Teale Data Center mainframe computers for processing large statistical jobs and the storage of large test score data files. POST will also need support services for maintaining and troubleshooting our LAN system. This agreement will give POST the processing power, storage capabilities and technical LAN support that it needs during FY 1993/94.</p> <p><u>RECOMMENDATION</u></p> <p>Authorize the Executive Director to negotiate an Interagency Agreement with the Teale Data Center for computer services in Fiscal Year 1993/94 for an amount not to exceed \$89,000.</p>		

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Health and Welfare Data Center - CALSTARS Support		Meeting Date January 21, 1993
Bureau Administrative Services Bureau	Reviewed By <i>Frederick Williams</i> Frederick Williams	Researched By Staff
Executive Director Approval <i>Marianne C. Beekun</i>	Date of Approval 12-18-92	Date of Report December 15, 1992
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Continuation of the Commission on Peace Officer Standards and Training agreement with Health and Welfare Agency Data Center for computer linkage in support of the State Accounting System (CALSTARS).

BACKGROUND

The mandated California Accounting and Reporting System (CALSTARS), implemented in 1986, requires that POST enter into a yearly contract with the Health and Welfare Data Center to provide data processing services during the year. The Commission approved an agreement not to exceed \$25,000 for current Fiscal Year 1992/93.

ANALYSIS

Without the continuation of an agreement with the Health and Welfare Data Center, POST will not be able to perform necessary state accounting functions and will be out of compliance with accounting requirements. Approval is requested to negotiate a similar agreement for Fiscal Year 1993/94 for an amount to maintain required level of service.

RECOMMENDATION

Authorize staff to negotiate an interagency agreement with the Health and Welfare Data Center for computer services during Fiscal Year 1993/94.

M E M O R A N D U M

TO: Finance Committee

FROM: NORMAN C. BOEHM
Executive Director
Commission on Peace Officer Standards and Training

SUBJECT: Reimbursement Shift - Salary to Training Development
and Presentation Costs

BACKGROUND:

At the October 1992 meeting, the Finance Committee provided the Commission with a report outlining an alternative reimbursement program. The report was motivated, in part, as a consequence of concern expressed over the Legislature's increasing reluctance to appropriate reimbursement funds, especially salary reimbursement, for local government. The alternative before the Commission would eliminate salary reimbursement and reallocate the monies to local agencies on the basis of training developed and presented.

The Commission directed staff to convene a work group of law enforcement officials to review the proposal and provide necessary feedback. As time permitted, staff was also asked to contact professional associations to solicit input, and then report back at the January meeting concerning reactions to the proposal and any needed modifications.

ANALYSIS:

Meetings with Law Enforcement Representatives

On November 4, 1992, a meeting was hosted by POST which outlined the alternative reimbursement program being proposed. Participants included chiefs and sheriffs representing large and small, as well as urban and rural, agencies. Generally, these executives recognize the pressure on salary reimbursement and local assistance in the state budget process. It was their consensus that the Commission should continue to advance the shift away from salary reimbursement and refocus reimbursement on the basis of training developed and presented by local agencies.

Staff also made presentations to the California Police Chief's Association, California Peace Officer's

Association and California State Sheriff's Association, as well as to the Los Angeles County Chief's Association and Orange County Chief's Association in the south and to two chief's associations in the north. Certainly some individuals expressed desire that salary reimbursement be retained, but it was pointed out that if there were not pressures on these funds, the Commission would not be considering an alternative reimbursement scheme. The associations agree that current funding for POST programs must be maintained. For the most part, they also concur that reallocating salary reimbursement to development and presentation of training will effectively lessen the Legislature's focus on "local assistance" funds as a target for elimination. While state aid to local government is not popular with the Legislature, law enforcement training is viewed as a high priority.

Proposed Method for Redistributing Funds on the Basis of Training Developed and Presented

POST's present financial support system provides reimbursement to local agencies for salary, tuition, travel and per diem costs. It is proposed that the system be reconfigured to provide reimbursement to agencies for a portion of the training development and presentation costs they incur, in addition to tuition, travel and per diem. This could be accomplished as follows:

Prior to the beginning of the upcoming fiscal year, the Commission could establish two accounts, "Training Development" and "Training Presentation". Monies currently "earmarked" for salary reimbursement would be apportioned between these two accounts. The percentage of funds to be distributed would not be fixed. Rather, as is currently the practice with salary reimbursement, the percentages could be adjusted at any time by Commission action in response to changes in incoming revenue or increased demand on the POTF for reimbursement.

Training Presentation Account

- o It is proposed that the vast majority of available funds be apportioned to this account to provide needed funds to support presentation of POST-certified instruction locally, especially in-service training.

Over twenty-five law enforcement agencies are currently POST certified presenters. Of these presenters, approximately one-half are affiliated with community colleges. College affiliation

provides for generation of ADA funds which can be used to off-set a portion (typically 25% or less) of the training development and delivery costs agencies incur. Costs not covered through ADA must be borne by the agency presenter.

- o Reimbursement for presentation costs could help fund purchase of training hardware, software and support materials, as well as expenses associated with presenting training regionally. This would enhance departments' training capabilities, thereby strengthening their abilities to present training internally as well as externally. Small agencies would particularly benefit, as many are virtually compelled to restrict attendance to local training presentations.
- o Funds from this account could be reimbursed to local agencies via POST's automated reimbursement system, thereby minimizing administrative overhead for agency presenters and POST.

Training Development Account

- o The "Training Development" account would be used to reimburse local agencies for development or improvement of specific, high priority courses, or instructional materials, for which there is a statewide or regional need. Priority courses could be identified through regional training needs assessments currently conducted annually by POST's Training Delivery and Compliance Bureau, and, as necessary, meetings with local agency representatives.
- o Curricula or instructional materials developed with these funds would be distributed as "models" for use by other presenters throughout the state.
- o On an as needed basis, funds within this account would be used to pay the cost for teams of traveling instructors to present the priority training programs previously described.
- o Training development and presentation costs would most likely be reimbursed through contracts between POST and local agencies, with travel and per diem costs reimbursed at standard state rates via contract and/or Letter of Agreement. Based upon POST's experience after one year, it may be desirable to determine a set reimbursement amount for each course developed and presented, and then reimburse this amount to the agency presenter via

POST's automated reimbursement system. However, the feasibility of this approach will require further study.

The following example, provided for discussion purposes only, describes how the alternative reimbursement program would operate:

Assume \$8,700,000 is available for reimbursement of training development and presentation costs. After a review and analysis of training needs assessment data and recommended training priorities for the coming year, the Commission allocates 15% of the available funds to the Training Development account (\$1,305,000). Accordingly, \$7,395,000 remains for training presentation reimbursement.

Attachment #1 provides a 3-year summary of the total number of trainees, total trainee hours and course hours completed per trainee for all POST-certified non-tuition and non-contract courses conducted by agencies in the reimbursable program. The total number of trainee hours has continually decreased from FY 89/90 to FY 91/92. This is attributable to the reduction in POST funding coupled with financial constraints at the local level. Given the training needs of California peace officers, this "trend" is likely to be of limited duration and at some point the number of trainees will begin to escalate once again.

If the number of trainee hours took an upswing and approached the FY 89/90 total (3,195,597 hours), the Commission would be able to reimburse agencies for presentation costs at the rate of \$2.31 per trainee hour ($\$7,395,000 \div 3,195,597 \text{ trainee hours} = \2.31 p/hr.).

Attachment #2 compares the amount of reimbursement which would be provided at \$2.31 per trainee hour to actual presentation costs for a sample of currently certified courses. As reflected in the Attachment, some agencies could receive reimbursement for up to 71% of their actual presentation costs, while others could receive just over 20%.

Course presentation costs can vary widely depending on the number of trainees; number of instructors, coordinators and support staff; need for specialized facilities and/or equipment; type of training being conducted ("hands-on" vs. lecture); and travel and per diem costs for instructional staff. The reimbursement

formula being proposed is based upon a uniform reimbursement rate per trainee hour.

Establishment of a uniform rate per trainee hour is advocated for the following reasons:

- o Attempting to determine "standardized" reimbursement rates for varying types of courses, which agency presenters view as equitable, is likely to be an exercise in futility. Several types of courses exist which are conducted by agency presenters using varying resources and instructional methodologies. Accordingly, presentation costs for the same course, using the same curricula, instructional hours and same number of trainees, can vary from presenter to presenter.
- o It is the Commission's intent to encourage presentation of quality, cost-effective training. In some cases, the most effective instructional methodology is lecture, supported by workbook. In other cases, it may be intense, hands-on instruction. Varying the rate of reimbursement based upon the instructional methodology in use may create financial incentive for presenters to use more complex and costly methodologies than are actually needed in order to receive additional reimbursement. Furthermore, it is not appropriate that agencies presenting lecture/workbook-based courses be "penalized", via a lower reimbursement rate, when lecture supported by workbook is the most appropriate means for delivering the training.
- o Use of a uniform reimbursement rate for presentation costs, including delivery of interactive video-based instruction, encourages use of the technology. While interactive videodisc training can be presented without the presence of an instructor, agency presenters do incur significant expenses for equipment purchase and maintenance, technical assistance, course coordination/facilitation, electricity, etc.

In the case of POST telecourses, it is recommended that the Commission's current policy of not providing reimbursement for such presentations be maintained.

- o Administrative overhead for agency presenters and POST is minimized through establishment of a single reimbursement rate for training presentation costs.
- o Varying rates could also be set based upon mandated vs. non-mandated courses or assessment of priorities. It is not suggested that variation based on these factors be attempted at this time because virtually all Technical courses are used to meet the Continuing Professional Training mandate and numerous complexities are involved in assessment of priorities and rate setting.

Two concerns have been expressed related to community college funding:

1. That provision of reimbursement for training presentation costs may cause a shift away from community college support for training; and
2. Combining POST reimbursement for training presentation with the ADA funds some agency presenters are already receiving, may result in some agencies being reimbursed for more than 100% of their actual course presentation costs.

The example provided in Attachment #2 reflects that the percentage of actual presentation costs reimbursed would generally range from 20% - 30%. This level of funding is not likely to provide sufficient financial inducement for agencies to give up community college support, for without such funding the agency would either need to fund a significant portion of the course costs itself, or seek other funding alternatives. Furthermore, provision of POST reimbursement for training presentation costs is not likely to result in a proliferation of new course certification requests, given the level of fiscal commitment required of agencies in comparison to the funds likely to be provided through reimbursement.

Nonetheless, it is important to consider that in a very limited number of cases, some agency presenters could, in fact, receive reimbursement for more than 100% of their actual presentation costs when POST training presentation reimbursement is combined with community college support and/or other outside sources of funding. Obviously, the Commission will want to avoid such occurrences. This could be achieved by asking the chief executives for agencies receiving reimbursement

for presentation costs to sign an attestation that funds received from POST, when combined with all other outside funds received, do not exceed actual course presentation costs. Such attestation could be incorporated within the document agencies submit to POST for automated reimbursement of training presentation costs.

CONCLUSIONS:

Based upon the foregoing, it is concluded that a shift from reimbursing for salary to reimbursing for training development and delivery would be feasible and desirable. While many procedural issues may yet need to be addressed, analysis suggests that a reasonable and equitable formula for reimbursing the funds could be implemented by July 1, 1993.

ATTACHMENT #1

TOTAL NUMBER OF TRAINEES, TOTAL TRAINEE HOURS AND
NUMBER OF HOURS PER TRAINEE FOR ALL POST-CERTIFIED TRAINING
PRESENTED BY LOCAL AGENCIES, *FY 89/90 - FY 91/92

COURSE CATEGORY	TOTAL NUMBER OF TRAINEES			TOTAL NUMBER OF TRAINEE HOURS			NUMBER OF HOURS PER TRAINEE		
	89/90	90/91	91/92	89/90	90/91	91/92	89/90	90/91	91/92
Basic	3,364	2,178	1,345	2,545,496	1,440,889	929,825	756.7	661.6	691.3
Spec. Basic	-0-	218	215	-0-	21,057	19,890	-0-	96.6	92.5
Adv. Officer	7,052	10,806	10,688	251,419	345,417	343,736	35.7	32.0	32.2
Supv. Cse.	670	730	551	61,376	68,144	56,876	91.6	93.3	103.2
Mgt. Cse.	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Exc. Dev. Cse.	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Supv. Trng.	233	247	360	6,696	8,059	12,336	28.7	32.6	34.3
Mgt. Trng.	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Exc. Trng.	79	92	-0-	1,580	2,112	-0-	20.0	23.0	-0-
Tech. Cses.	17,640	38,035	17,596	329,030	443,772	366,511	18.7	11.7	20.8
T O T A L	29,038	52,306	30,755	3,195,597	2,329,450	1,729,174	110.0	44.5	56.2

*Excludes training presented by non-reimbursable agencies, contract courses and courses with established tuitions.

ATTACHMENT #2

Estimated Reimbursement For Sample Course Presentation Costs* at \$2.31 P/Trainee Hour

ESTIMATED PRESENTATION COSTS * FOR SAMPLE COURSE	AMOUNT OF POST REIMBURSEMENT FOR PRESENTATION COSTS AT \$2.31 P/TRAINEE HOUR	% REIMBURSED OF ESTIMATED PRESENTATION COSTS
8 Hr. Course, 30 Trainees = \$780	8 Hr. Course x 30 Trainees @ \$2.31 p/hr. = \$554	71.0%
24 Hr. Course, 24 Trainees = \$5,321	24 Hr. Course x 24 Trainees @ \$2.31 p/hr. = \$1,331	25.0%
32 Hr. Course, 26 Trainees = \$6,902	32 Hr. Course x 26 Trainees @ \$2.31 p/hr. = \$1,922	27.8%
36 Hr. Course, 30 Trainees = \$9,051	36 Hr. Course x 30 Trainees @ \$2.31 p/hr. = \$2,495	27.6%
862 Hr. Course, 40 Trainees = \$389,853	862 Hr. Course x 40 Trainees @ \$2.31 p/hr. = \$79,649	20.4%

* Includes cost for bringing instructor(s), and in some cases, coordinators, to the training site. Also includes, albeit to varying degrees, rental of equipment and meeting room space.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

LONG RANGE PLANNING COMMITTEE MEETING
January 7, 1993 - 10:00 A.M.
Sheriff Block's Office
Los Angeles County Sheriff's Department
Hall of Justice
211 W. Temple Street
Los Angeles, CA 90012
(213) 974-4101

A. CALL TO ORDER

B. Report on Continuing Professional Training (CPT) Requirement

As requested by the Committee at its September 1992 meeting, staff has completed a review of the CPT requirement focusing on how to make the training more convenient and accessible. These and other issues are described in the enclosed report. The report concludes that the Commission should consider immediate action in two areas:

- o Reduce minimum course hours for technical courses from six to two.
- o Commence certifying, without reimbursement, qualifying training now being presented by law enforcement associations at their conferences.

C. Report on Reimbursement Shift - Salary to Presentation Costs

At its October meeting the Commission reviewed a report on an alternative reimbursement program. This was initially raised by the Finance Committee when concern was expressed about legislative pressure over local assistance (salary reimbursement) funds in the POST budget. The alternative before the Commission would eliminate salary reimbursement and disburse that same money on the basis of preparing and presenting training.

The Commission asked that this matter be brought back at the January meeting. In the interim, staff was to contact CPOA, CSSA, and CPCA, as well as other local chiefs' and sheriffs' associations as time permitted.

Since the October meeting, presentations have been made to CPCA, CPOA, and CSSA. In addition, presentations have been made to Los Angeles County Chiefs and Orange County Chiefs in the south as well as two chiefs' associations in northern California. On November 4 a meeting was hosted by POST to discuss this issue with a group of chiefs and sheriffs representing large and small, as well as urban and rural,

agencies. Generally these executives recognize the pressure on salary reimbursement and local assistance in the state budget process. For the most part, they agree that this proposed alternative reimbursement plan would refocus the attention from reimbursement on the basis of salary to reimbursing for training developed and presented. Certainly some individuals expressed desire that salary reimbursement be retained, but it was pointed out that if there were not pressures on the funds the Commission would not be considering alternatives.

A report on this alternative is being prepared specifically outlining the new formula and will be distributed at the meeting. The matter is before the Long Range Planning Committee for input, discussion, or recommendation that you may want to forward to the Commission at its January meeting.

D. Report on IVD Projects

In the interests of initiating additional IVD training course development, staff has been evaluating a variety of potential subjects. As this agenda is finalized, a proposal for Commission approval of a new IVD project to train officers in alcohol and drug influence recognition is being considered. This subject matter seems to lend itself to IVD and potentially would generate significant savings due to the current high volume of inservice training. The final draft report is enclosed.

This is brought to the Committee for review of potential subjects, overall timing of development, and of course, the cost associated with developing and then updating IVD courseware.

E. Report on Accreditation

Senate Bill 1126 (Presley), passed and signed by Governor Wilson, adds Section 13550, P.C., and becomes effective on January 1, 1993. The law requires the Commission to develop professional standards for a law enforcement agency accreditation program, which shall be available on or before July 1, 1994. No new resources were provided in the law to support the development or operation of the accreditation program.

The report under this tab summarizes the progress to create an accreditation program that began in January 1992, when the Commission created a Standards Development Committee. That committee, charged with drafting professional standards for accreditation, has substantially completed its work.

The report also presents options for responding to the mandate of Section 13550 P.C.. It includes a staff recommendation that the Accreditation Advisory Committee review the progress to date, consider the options, and report to the Commission at the April meeting.

F. Institute for Criminal Investigation

In January 1992, the Commission, following the recommendation of the Long Range Planning Committee, unanimously approved the concept of a POST Institute of Criminal Investigation. Due to recent decline in revenues, however, the Commission directed that establishment of the institute be delayed.

Although revenues have not returned to previous levels, the fiscal situation is now more clear. The Commission may wish to consider directing that steps toward implementation of the institute be renewed.

A report is included under this tab.

G. P.C. 832 Training and Testing Requirements

Effective July 1, 1992 previously approved Commission additions to the content of P.C. 832 courses were implemented by course presenters. The additional content is largely in the arrest methods area and calls for physical demonstrations by trainees.

As Commissioners are aware, the law was changed several years ago to require P.C. 832 trainees to pass POST tests in order to satisfactorily complete the course. Because of that requirement, new POST tests were developed to evaluate arrest methods proficiency.

The enclosed report describes experience to date with the new tests and expanded curriculum.

H. Report on Upcoming Public Hearing - Reimbursement for Purchase of Satellite Receivers and IVD Equipment

Because of the long-term significance of the proposal to reimburse participating agencies for purchase of equipment in these areas, this item is on the Committee's agenda to provide opportunity to review the reports and input to date. A copy of the public hearing report is under this tab.

I. ADJOURNMENT

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
Legislative Review Committee Meeting
Thursday, January 21, 1993
Red Lion Inn, 2050 Gateway Place
Chardonnay Room
San Jose, CA 95110
(408) 453-4000

AGENDA

9:00 A.M.

Attachment

A. Status of POST Legislation A

Attachment A identifies POST proposed legislation including:

1. Community College Tuition Exemption
2. Accessibility of Employer Information for Background Investigations
3. Revenue from Drug Asset Seizures
4. Retirement Options for New POST Consultants

B. Possible Legislation on POST's Authority to Cancel Certificates B

Attachment B provides brief background, analysis, and recommended position on anticipated legislation to limit or remove POST's authority to cancel certificates.

C. Other Legislation of Interest to POST C

Attachment C provides analysis of pending legislation of interest to POST for which the Committee may wish to take a position.

D. California Supreme Court Decision Reversing Santa Clara County Correctional Peace Officers D

On November 2, 1992, the California Supreme Court reversed lower court decisions that upheld the authority of County of Santa Clara to confer peace officer powers upon correctional deputies transferred to its Department of Corrections. Attachment D provides a summary of the court's findings and its implications for POST.

**E. Request for Formal Attorney General's
Opinion on POST's Authority to Cancel
Its Certificates**

E

Based upon recommendation of the Commission's Labor Management Committee, a formal opinion has been requested of the Attorney General on POST's authority to cancel its certificates. Attachment E provides a copy of the request.

F. Information Regarding POST

F

Consistent with this Committee's previous recommendation, a brochure, fact sheet and letter regarding POST has been produced for distribution to police chiefs and sheriffs who have previously requested this information. See Attachment F.

ATTACHMENT A

State of California

Department of Justice

M E M O R A N D U M

Date: 12-28-92

TO: LEGISLATIVE REVIEW COMMITTEE

NORMAN C. BOEHM
Executive Director

FROM: COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

SUBJECT: STATUS OF POST PROPOSED LEGISLATION

A more up to date status will be verbally provided to the Committee at its meeting on January 21, 1993.

Community College Tuition Exemption - The California Peace Officers' Association (CPOA) has agreed to carry proposed legislation (attached) that would exempt from the new tuition of \$50/semester unit persons attending community college courses for the purpose of satisfying a state training mandate in public safety. The Governor's Office reportedly continues to oppose this exemption because it would encourage other groups to seek similar exemption.

Accessibility of Employer Information for Background Investigations - CPOA is researching the feasibility of proposed legislation on making employer information accessible to law enforcement agencies for purposes of doing background investigations on first time peace officer applicants.

Revenue from Drug Asset Seizures - CPOA has agreed to support legislation to continue POST eligibility for revenue from drug asset seizures for the training of peace officers. Existing law sunsets Dec. 31, 1993. The Governor's budget for 1993-1994 calls for POST to receive over a half million dollars from this source.

Retirement Options for New POST Law Enforcement Consultants - No sponsor has been found for proposed legislation to provide new POST Law Enforcement Consultants the retirement option of Tier 1 or Tier 2 but inquiries continue to be made.

PROPOSED LEGISLATION ON COMMUNITY COLLEGE FEE ISSUE

Education Code Section 72250 is amended to read:

(a) The governing board of each community college district shall charge a fee of fifty dollars (\$50) per semester unit, or the quarter unit equivalent, to each student who previously has been awarded a baccalaureate or graduate degree from any public or private postsecondary educational institution.

(b) The governing board shall exempt from subdivision (a), and charge the fees specified in Section 72252 to, a student who is any of the following:

(1) A dislocated worker, as certified by a state agency in accordance with Subchapter III of the federal Job Training Partnership Act (29 U.S.C. Sec. 1651 et seq.).

(2) A displaced homemaker, as defined in accordance with the Higher Education Act of 1965, as amended (20 U.S.C. Sec. 1001 et seq.).

(3) A recipient of benefits under the Aid to Families with Dependent Children program, the Supplemental Security Income/State Supplementary Program, or a general assistance program.

(4) A student attending any course for the purpose of satisfying a State training requirement in public safety.

(c) Nonresident students who pay nonresident tuition shall be exempt from subdivision (a).

(d) The governing board of a community college district may require each student who is eligible for an exemption from subdivision (a) to file a written oath or affirmation that he or she is eligible for the exemption at the time of enrollment.

(e) It is the intent of the Legislature that governing boards conduct selective audits of any oath or affirmation filed by students pursuant to subdivision (d).

(e) It is the further intent of the Legislature that students who have not previously been awarded a baccalaureate or graduate degree be given priority for enrollment.

(f) (1) This section shall be operative beginning with the first regular academic semester, quarter, or term commencing after January 1, 1993.

(2) (Same)

(3) (Same)

(g) (Same)

State of California

Department of Justice

MEMORANDUM

Date: 1-5-93

MEMO TO: LEGISLATIVE REVIEW COMMITTEE

FROM: COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
NORMAN C. BOEHM
Executive Director

SUBJECT: POSSIBLE LEGISLATION ON POST'S AUTHORITY TO CANCEL
CERTIFICATES

The Committee is familiar with the opposition of some law enforcement labor leaders to the Commission's action to enact regulations to cancel POST certificates for felonies reduced to misdemeanors pursuant to section 17 (b) of the Penal Code and for statutory disqualifications for peace officers. The December 2, 1992 meeting of POST Commissioners and law enforcement labor leaders concluded with an impasse on this issue. Commissioners present were not inclined to recommend rescinding the action nor were labor leaders willing to withdraw their request. Labor leaders stated they would seek legislation to remove certificate canceling authority from the Commission. In anticipation of this possible legislation, the need for POST to have a position on this legislation becomes apparent.

As it stands now, the Commission is acting within provisions of existing law regarding certificate cancellation. Labor's case is that certificates are no more than certificates of basic course completion and that the Commission has no business canceling certificates which would preclude a person from being a peace officer. If this is brought to the Legislature, the issue will contain a lot of policy implications regarding who should be permitted to have peace officer powers. The State may want the Commission to exercise a state standard or it may be content to leave that standard totally at the discretion of each local agency. The recommended approach for the Commission is to adopt an "informational stance" that is to provide information in a dispassionate and objective manner on certificate revocation alternatives, let the processes work, and avoid being in opposition to a group of law enforcement which represents an important part of POST's standards and training responsibilities.

Commission on Peace Officer Standards and Training

Summary of Informational Bills of Interest to POST

<u>Bill</u>	<u>Author</u>	<u>Description</u>
AB 12	Epple	Confers immunity upon public entities and employees for injuries caused by cardiopulmonary resuscitation instructions given in good faith in the operation of a local "911" emergency telephone system.
SB 20	Russell	Makes a "wobbler" if fleeing or eluding involves the pursued vehicle being driven at least 20 miles per hour beyond the declared maximum speed limit for a duration of at least one mile with the peace officer is in pursuit and is displaying a red warning light and is sounding a siren, or both.
AB 39	Archie-Hudson	Revises community college \$50 tuition fee requirements to specify that students who have earned a baccalaureate degree or postbaccalaureate degree must also be enrolled without a declared degree objective in order to be charged the fee. This bill has no impact upon law enforcement but amendments are likely.
AB 53	Katz	Revises drug asset seizure distribution formula to the county office of education of the county from which the funds are received to fund grants and administer the Gang Risk Intervention Pilot Program.

State of California

Department of Justice

M E M O R A N D U M

Date: 12-9-92

TO: LEGISLATIVE REVIEW COMMITTEE

FROM: NORMAN C. BOEHM,
Executive Director

SUBJECT: SANTA CLARA COUNTY CORRECTIONAL PEACE OFFICER DECISION

On November 2, 1992, the California Supreme Court, reversing a Superior Court decision, decided that the Santa Clara County Department of Corrections violated chapter 4.5 of the Penal Code by conferring limited peace officer status on custodial officers employed in the county jail. The Supreme Court in deciding the case affirmed that peace officer powers are derived from State law and that counties and cities cannot invoke home rule provisions of the California Constitution to create their own classes of peace officers.

Prior to 1988, the jail facilities in Santa Clara County were supervised by the sheriff. On June 6 of that year, the voters ratified a charter provision transferring control of the jails to the Department of Corrections, an agency previously created by the Board of Supervisors pursuant to Government Code section 23013. Correctional deputies employed at the jail, who had previously been under the supervision of the sheriff, were reassigned to the department.

Also employed were "custodial officers" who are expressly denied peace officer status by Section 831 and are prohibited by that provision from carrying firearms. The number of correctional deputies fell below that required by the State Board of Corrections, and the director proposed to confer limited peace officer status on the custodial officers so that they could carry weapons and perform those duties requiring the carrying of firearms.

The Deputy Sheriffs' Association of Santa Clara, Inc. (DSA), an organization representing the correctional deputies, objected to the county's proposal claiming that section 831 prohibits the director from granting peace officer status. The county and the director filed an action for declaratory relief naming the DSA as defendant. The DSA cross-complained requesting declaratory relief and an injunction.

The trial court determined that, although the Legislature had preempted the field relating to peace officer status, training

and powers to carry firearms or to make arrests, a county which created a department of corrections pursuant to section 23013 of the Government Code had necessity to bestow some limited peace officer status on employees of a department of corrections. The court found that the employees in question were custodial officers as defined in section 831, but that they could fill the peace officer positions at the correctional facility so long as they trained in the use of firearms in accordance with state requirements. The Court of Appeal denied DSA's petition for a writ of mandate. The DSA appealed the judgement. The Attorney General on behalf of POST submitted a friend of the court brief supporting the DSA's position.

The California Supreme Court held that the subject of who may exercise the powers of a peace officer is one of statewide concern, and that, therefore, the director exceeded his power in granting peace officer status to custodial officers. The court particularly took note of section 830 that says "notwithstanding any other provision of law, no person other than those designated in this chapter is a peace officer." It also cited the provision of sections 13540 to 13542 requiring POST to conduct feasibility studies of new groups seeking peace officer status with the implication that a county may not bypass the procedure.

The decision may have implications for clarifying the law for other counties that might contemplate similar action as well as providing some resolution to the unlitigated issue of the San Francisco Police Specials.

STATE OF CALIFORNIA

PETE WILSON, Governor

DEPARTMENT OF JUSTICE

DANIEL E. LUNGREN, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

501 ALHAMBRA BOULEVARD
SACRAMENTO, CA 95816-7083GENERAL INFORMATION
(916) 739-5328EXECUTIVE OFFICE
(916) 739-3864

BUREAUS

Administrative Services
(916) 739-5354Center for Leadership
Development
(916) 739-2093Compliance and Certificates
(916) 739-5377Information Services
(916) 739-5340Management Counseling
(916) 739-3868Standards and Evaluation
(916) 739-3872Training Delivery Services
(916) 739-5394Training Program Services
(916) 739-5372Course Control
(916) 739-5399Professional Certificates
(916) 739-5391Reimbursements
(916) 739-5367Resource Library
(916) 739-5353

December 10, 1992

Daniel E. Lungren, Esq.
Attorney General, State of California
Department of Justice
1515 K St., Suite 511
P.O. Box 944255
Sacramento, CA 94244-2550

Re: Request for Formal Opinion

Dear Mr. Lungren:

The Commission on Peace Officer Standards and Training (POST) is requesting a formal opinion as to whether the Commission's July 18, 1991 enactment of regulations concerning certificate cancellation is within the Commission's legal authority. Specifically, this opinion request concerns:

Does POST have legal authority to enact regulations to cancel POST certificates possessed by peace officers who have been:

- (1) convicted of certain felonies but reduced to misdemeanors by virtue of sentence received pursuant to section 17(b)(1) or (3) of the Penal Code; or
- (2) adjudged by a superior court as meeting one of the peace officer disqualifications in section 1029 (a) of the Government Code.

The following is provided as background information. Section 13510.1 of the Penal Code requires the Commission to establish a described certification program for certain peace officers. Section 13510.1 (e) empowers the Commission to cancel any certificate awarded under the program. Section 13510.1 (f) requires the Commission to cancel certificates when recipients have been convicted of crimes classified as felonies.

Section 13510 of the Penal Code requires the Commission to adopt rules relating to the physical, mental, and moral fitness which shall govern the recruitment of specified peace officers. Section 13503 (e) empowers the Commission to develop and implement programs to increase the effectiveness of law enforcement.



Pursuant to its Regulation 1011, the Commission has for many years canceled certificates when the holders have been convicted of felony crimes. Following a public hearing on July 18, 1991, the Commission acted to expand its provisions for cancellation to include all peace officer disqualifications listed in Section 1029 (a) of the Government Code and the conviction of certain felony offenses reduced to misdemeanors pursuant to Section 17(b)(1) and (3).

Certain groups and individuals have questioned the Commission's authority to adopt those expanded provisions. Those expressed concerns prompted the Commission's request for opinion of the Attorney General.

To assist your office, the following information is supplied as attachments: (a) copy of the agenda item report and minutes for the July 18, 1991 Commission meeting; (b) copy of an opinion by the Legislative Counsel of California; (c) copy of informal legal advice from the Attorney General's Office; and (d) copy of the Commission's regulations.

If you have questions concerning this request, please call Hal Snow, Assistant Executive Director, at (916) 739-5333.

Sincerely,



NORMAN C. BOEHM
Executive Director

Attachments

(Individually addressed letters to all police chiefs and sheriffs)

Dear

The State of California continues to experience a serious revenue problem that is expected to affect next fiscal year's budget process. Reducing or eliminating state financial assistance to local governments is one of the budget strategies the Legislature is expected to take. Because a major portion of POST's budget is earmarked as "Local Assistance," it could become a target for reduction.

Chiefs and Sheriffs have expressed interest in visiting with their legislators to acquaint them with the importance of the preservation of the law enforcement training money. Legislators are generally grateful to receive constituent input.

In response to general expressions of interest from the field, the Commission has asked that you be provided with the enclosed information relating to the POST program. Additional copies of these materials or other information can be obtained by calling Hal Snow, POST Legislative Coordinator, at (916) 739-5333.

Sincerely,

NORMAN C. BOEHM
Executive Director

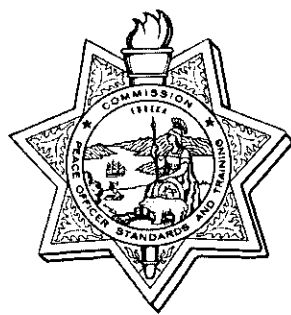
Enclosures

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

FACT SHEET ON POST FUNDING

- o As the result of the 1991 Trial Court Funding and Realignment Act, POST's revenue was reduced 25%. (1990/91 FY revenue to the Peace Officer Training Fund was \$44.273 million. 1991/92 FY revenue dropped to \$31.814 million.)
- o POST's proposed budget for Fiscal Year 93/94 is \$39 million reflecting a projected slight increase over this year's expected revenue of \$36 million.
- o Community college funding for law enforcement training is declining, causing a shift of greater costs to the POST fund and to law enforcement agency budgets.
- o Beginning January 1, 1993, law enforcement agencies will experience significantly increased costs for training officers in community colleges due to the new \$50/semester unit tuition for students with BA and graduate degrees.
- o Over the last decade, the number of POST reimbursable trainees has increased dramatically while the amount of training reimbursement has only increased by one third.
- o Significant growth in the number of officers in the POST Program has resulted in a current 61,000 sworn officers and 3,000 public safety dispatchers participating in the POST Reimbursement Program.
- o California law enforcement has greater training needs and mandates than ever before yet agencies are experiencing an overburdening increasing share of the financial burden for this training.
- o The State has an interest in supporting local law enforcement selection and training standards for a number of reasons including: local officers mostly enforce state laws, citizens can expect a minimum consistent level of selection and training standards statewide, and the money for POST comes from a fund specifically designed to be separated from and not a burden on the State's general fund.
- o The original "contract" between the State and the local law enforcement agencies was that the law enforcement agencies would voluntarily adhere to POST selection and training standards and the State would financially assist them in complying with those standards. State assistance is declining while demands are increasing.



What is POST?

Prior to the Commission on Peace Officer Standards and Training's (POST) establishment, there were no statewide standards for selecting and training peace officers in California. One might wonder then, how citizens were transformed into peace officers. What requirements had to be met once a citizen took the oath to become a peace officer? The answers varied depending on the agency or jurisdiction, because each adopted its own standards/requirements for peace officers.

POST was established in 1959, with a mission to adopt and enforce statewide standards for selecting and training California peace officers, and to raise the level of competence of law enforcement officers and agencies. POST is directed by a body of 14 Commissioners which meets quarterly to set regulations and procedures to accomplish POST's mission and to meet legislative mandates relating to POST programs.

POST is "specially" funded, receiving no monies from the State's General Fund. Its revenue is derived from penalty assessments levied on fines for most traffic and criminal offenses. POST is fully financed by individuals who violate the laws which peace officers are trained to enforce!

This brochure provides an overview to those not familiar with POST by briefly describing the projects and programs POST develops to accomplish its mission.



Training using POST interactive videodisc courseware.

What does POST do?

Selection and Training

The first step to ensuring high quality peace officers is a good selection process. POST guides agencies in achieving this by establishing statewide selection standards for peace officers. These selection standards address:

- Psychological suitability
- Physical fitness
- Reading and writing ability
- Applicant background

Improving peace officer quality involves more than good selection standards. Peace officers must be trained in a multitude of areas upon entering law enforcement and throughout their careers. POST establishes minimum training standards for various classes

of peace officers and at all levels of peace officers' careers. Examples of career training are:

Entry level officer: Basic training, Arrest and Firearms training

Supervisors: Supervisory Course, Supervisory Leadership Institute

Officers below management rank: Continued Professional Training required every two years

Managers: Management Course

Executive staff: Executive Course, Command College

In addition to developing and monitoring compliance of required training, POST develops training to meet legislative mandates and society's changing needs. In all, POST certifies over 2,000 courses through colleges, law enforcement agencies, and private training institutions. Some of the training topics that deal with the sensitive issues of today are:

- Sexual assault investigation
- Hate crimes
- Cultural awareness
- Domestic Violence
- Child Abuse

POST has also developed standards and programs for ensuring the quality of reserve officers and dispatchers. Although selection and training of peace officers, reserves, and dispatchers is our main focus, POST is working on many other programs to assist agencies. Some of these programs are:

Reimbursements

Law enforcement agencies participating in the Reimbursement Program receive monies for peace officer and dispatcher training costs.



Typical instruction taught in the POST Institute of Criminal Investigation.

Certificates

POST presents professional certificates to law enforcement officers in recognition of their achievements in training, education, and experience. Certificates, recognized in California and nationwide, affect:

Standards for employment
Promotional eligibility
Salary determinations

Other Services

Other services POST provides include:

Maintaining a central record system for employment, certificates, and training history on more than 75,000 California peace officers, reserves and dispatchers.

Developing universal forms and test instruments for California law enforcement agencies.

Assuming a leadership role in organizing the experts and professionals needed to respond to important and timely issues.

Publishing training guidelines and studies which are used as resource documents by California law enforcement agencies and agencies nationwide.

Conducting inspections of more than 550 law enforcement agencies, ensuring that they adhere to POST's regulations and standards.

What is POST doing for the future of California law enforcement?

POST's goal is increased effectiveness for each training dollar invested. To accomplish this, POST is exploring and using new training approaches ranging from instructor development, to the use of satellites and interactive video technology.

The following key projects are on the immediate horizon:

Satellite Training Network

POST uses satellites to distribute telecourses. The immediate goal is for each agency to have satellite receiver capability.

Interactive Videodisc (IVD)

This learning technology combines the power and flexibility of computers, with highly illustrative multi-media video-laser disc technology. Well-prepared courseware allows a range of applications, from self-paced individual training, to small groups, to classroom presentations using the IVD system. POST is developing courseware and assisting departments in acquiring IVD operating equipment.

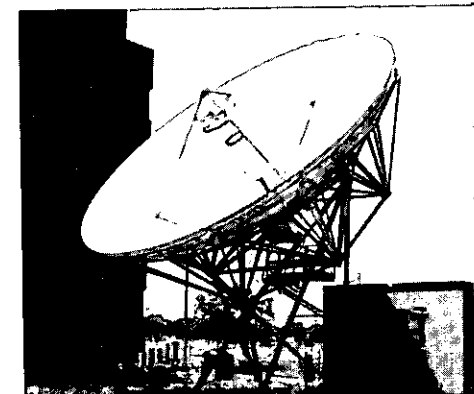
Study of Training Facilities and Equipment Needs

Peace officers need to be trained in the critical areas of community sensitivity, use of force and vehicle use. It is unrealistic, and unfair, to expect these skills to be acquired by hearsay and experience alone. Instead, training shortens the learning curve and reduces the risk of inappropriate behavior under stress. The Legislature has

asked POST to study the facilities and equipment needs in these areas, statewide. A report with recommendations is due at the end of 1994.

Along with the previously mentioned services, POST also:

- Trains instructors to use the latest training techniques and methods, such as computer-assisted training, adult experiential learning, and realistic training scenarios.
- Coordinates executive leadership programs like the Command College, to prepare law enforcement leaders to meet their communities' diverse problems, now and in the future.
- Offers the services of a new Learning Technology Resource Center staffed with experts in instructional design and technology. This center serves as a resource to help agencies and trainers improve their training from initial concepts through presentation and evaluation.



Distance learning via satellite saves time and money.

The Challenge

The fundamental purpose of law enforcement is public protection. The officers of our law enforcement agencies are charged with carrying out this task. Peace officers represent a tangible line between civilization and chaos. They must confront violence, criminality, and tragedy, with skill and courage, often in the face of great personal danger.

They must provide their services in a civil and courteous manner consistent with society's values. Truly successful law enforcement performance required the support of the community being served. Therefore, sensitivity and involvement have never been more critical than in today's diverse, and ever-evolving, California culture.

The balance between the officer's role as law enforcer and a community sensitive approach requires great attention to the selection and training of officers, and to the departmental environment in which they operate. Although it has no operational role in any department, POST directly influences each of these areas through its selection, training, and leadership development standards, services, and financial support.

**Commission on
Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083
(916) 739-5328
FAX (916) 739-3496**

Improving law enforcement service to communities...



POST

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

Advisory Committee Meeting
Wednesday, January 20, 1993
Red Lion Inn, 2050 Gateway Place
Carmel Room
San Jose, CA 95110
(408) 453-4000

10:00 A.M.

AGENDA

- | | | |
|----|---|---------------|
| A. | Call to Order | Chair |
| | 0 Roll Call | |
| | 0 Introductions | |
| | 0 Announcements | |
| B. | Approval of Minutes of October 14, 1992 Meeting | Chair |
| C. | Proposed Report Writing Video Test | Staff |
| D. | Review of Commission Meeting Agenda | Staff |
| E. | Advisory Committee Member Reports | Members |
| F. | Old and New Business | Members |
| G. | Commission Liaison Committee Remarks | Commissioners |
| H. | Adjournment | Chair |

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

POST Advisory Committee Meeting
October 14, 1992 - 10 a.m.
Radisson Hotel
Irvine, California

MINUTES**CALL TO ORDER**

The meeting was called to order at 10:00 a.m. by Vice-Chairman Cois Byrd.

ROLL CALL OF ADVISORY COMMITTEE MEMBERS

Present: Cois Byrd, Calif. State Sheriffs' Assoc.
Charles Brobeck, California Police Chiefs' Association
Don Brown, Calif. Organization of Police and Sheriffs
Joe Flannagan, Peace Officers' Research Assoc. of
Calif.
Derald Hunt, California Association of Administration
of Justice Educators
Ernest Leach, California Community Colleges

Absent: Donald Forkus, California Peace Officers' Association
Cecil Riley, California Specialized Law Enforcement
Judith Valles, Public Member

Commission Advisory Liaison Committee Members present:

Commissioner Marcel Leduc
Commissioner Edward Maghakian
Commissioner Raquel Montenegro
Commissioner Devallis Rutledge

POST staff present:

Norman C. Boehm, Executive Director
Hal Snow, Assistant Executive Director
Imogene Kauffman, Executive Secretary

INTRODUCTIONS

Captain Alicia Powers of the San Clemente Police Department was welcomed as a new member. Captain Powers represents the Women's Peace Officer Association, has 21 years experience in law enforcement, and graduated from Command College Class 13. She

has also served as a special consultant with POST developing a substance abuse report.

APPROVAL OF MINUTES

The minutes of the July 15, 1992 meeting were approved as distributed.

COMMISSION ASSIGNMENT - ADVISORY COMMITTEE COMPOSITION

The Commission referred a request resulting from the Joint Labor/Commission Workshop to expand labor representation on the POST Advisory Committee. The POST Advisory Liaison Committee reviewed the request and recommended that the full Advisory Committee also consider the request. It was pointed out that there are currently 14 members of which three are labor representatives on the committee: PORAC; COPS; and CAUSE.

Staff reported that a request has also been received from San Jose Police Chief Louis Cobarruviaz regarding a public safety dispatcher position on the Advisory Committee.

It was pointed out that existing associations represented on the Advisory Committee have dispatchers as members and as such represent dispatcher interests. There was consensus that due to the number of labor organizations throughout the state, it would not be possible to offer membership to each individual organization. There was also concern about the effectiveness of the committee if the size of the membership becomes unwieldy.

Following discussion, there was consensus to recommend no increase in labor representation at this time, and to recommend that public safety dispatchers not be granted membership.

DISCUSSION OF SEPTEMBER 15 SYMPOSIUM RESULTS

Joe Flannagan, Advisory Committee representative on the POST Training Review Committee, reported on the second Symposium on Training Issues held in September in San Diego. The follow-up symposium reviewed progress made in this past year in the areas of use of force, cultural awareness, supervisory accountability, and related topics. A report on the symposium is being finalized and will be sent to the field within a short time.

There was consensus that the committee go on record as expressing strong support for the recent Symposium on Training Issues and the direction the Commission is taking.

REVIEW OF APPROACH FOR NEW FINANCIAL SUPPORT SYSTEM

The Executive Director reviewed a new proposed approach for POST's financial support system. The new approach will shift

emphasis away from salary reimbursement and toward support for development and presentation of priority statewide training. The Long Range Planning Committee will recommend that the Commission support the proposed concept and that a work group of chiefs and sheriffs also review the ideas and provide feedback.

There was consensus that the Commission should proceed with the development of the new approach for a financial support system.

REVIEW OF COMMISSION MEETING ISSUES

Following a discussion of the proposed regulations relating to review of video tapes in POST-certified training, both Derald Hunt and Norm Cleaver reported they will address the Commission on areas of specific concerns.

Due to the lack of time, there was consensus to dispense with a formal review of the full Commission agenda.

COMMENTS ON TACTICAL TRAINING COURSE

Joe Flannagan reported that he recently attended George Thompson's tactical communication instructor's course presented by POST. The presentation was extremely well done and should increase officer's safety level without causing any adverse reaction. He distributed copies of a proposal which would provide funds to ensure that all officers are offered this training. Comments from other Advisory Committee members were also highly supportive of this training.

ADVISORY COMMITTEE MEMBER REPORTS

California State Chiefs' Association - Charles Brobeck reported that CSSA is finalizing plans for its February conference in Huntington Beach. It is expected that Arnold Schwarzenegger will speak on "Wellness and Fitness for Executives." The Cal Chiefs' board meeting will be held in November in conjunction with the CPOA conference in Napa. The Training Committee for Cal Chiefs is very actively looking at training issues for executives. He recently represented CSSA on a POST Executive Committee which is considering revamping current training for managers through the executive level. CSSA is also reexamining the training criteria for out-of-state chiefs coming into California.

California Organization of Police and Sheriffs - Don Brown expressed thanks to POST staff for organizing a meeting with labor representatives and Commissioners last March. As a result, the concept for a Center for Labor/Management is being developed.

Peace Officers' Research Association of California - Joe Flannagan reported that the PORAC conference will be held in November in Reno.

California Academy Directors' Association - Norm Cleaver reported that CADA is working on overturning the differential fee proposal for the community colleges as it relates to mandated training.

California Community Colleges - Ernest Leach reported that the California Community Colleges are very concerned about the differential fee proposal and requested support from POST for proposed legislation to eliminate the proposal.

Women's Peace Officer Association - Alicia Powers announced that WPOA will hold its fall training in Orange County next week. This will give Ms. Powers an opportunity to familiarize the association about the responsibilities of the Advisory Committee. She has also been named as a member of the CPOA Child Welfare Training Board.

California Administration of Justice Educators - Derald Hunt distributed the CAJE newsletter and reported that the Board of Directors will meet on January 22 to review the basic core curriculum.

COMMISSION LIAISON COMMITTEE REMARKS

Commissioner Leduc expressed the opinion that the Commission and Advisory Committee meetings should be held in various locations throughout the state in order to enable local constituent groups to attend. It was suggested that this suggestion be discussed at the Commission meeting.

California State Sheriffs' Association - Cois Byrd reported that Mark Idhe, Sheriff of Sonoma County, is the new Training Committee Chairman. CSSA has formed a new Political Action Committee with Brad Gates as Chairman. The purpose of the committee is to influence the Legislature on budget issues which impact law enforcement.

ELECTION OF OFFICERS

It was moved/seconded and carried that Cois Byrd be named as Chairman and Charles Brobeck be named as Vice-Chairman of the Advisory Committee for 1993.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 1330 hours.



Vera Roff
Executive Secretary